

# **Investment Promotion Act (Title amended, SG No. 37/2004)**

Promulgated, State Gazette No. 97/24.10.1997, effective 24.10.1997, corrected, SG No. 99/29.10.1997, supplemented, SG No. 29/13.03.1998, effective 13.03.1998, amended and supplemented, SG No. 153/23.12.1998 effective 1.01.1999, amended, SG No. 110/17.12.1999, effective 1.01.2000, amended, SG No. 28/19.03.2002, amended and supplemented, SG No. 37/4.05.2004, effective 4.08.2004, corrected, SG No. 40/14.05.2004, amended, SG No. 34/25.04.2006, effective 1.01.2008 (\*)(\*\*), SG No. 59/21.07.2006 effective 1.01.2007, amended, SG No. 65/11.08.2006, effective 11.08.2006, SG No. 82/10.10.2006, SG No. 86/24.10.2006, effective 1.01.2007, amended and supplemented, SG No. 42/29.05.2007, effective 30.08.2007, amended, SG No. 53/30.06.2007, effective 30.06.2007, SG No. 69/5.08.2008, amended and supplemented, SG No. 41/2.06.2009, amended, SG No. 82/16.10.2009, effective 16.10.2009, supplemented, SG No. 18/5.03.2010, effective 5.03.2010, amended, SG No. 88/9.11.2010, effective 1.01.2011, SG No. 100/21.12.2010, SG No. 38/18.05.2012, effective 1.07.2012, SG No. 45/15.06.2012, effective 1.09.2012, SG No. 82/26.10.2012, effective 26.11.2012, SG No. 15/15.02.2013, effective 1.01.2014, amended and supplemented, SG No. 16/19.02.2013, amended, SG No. 66/26.07.2013, effective 26.07.2013, SG No. 98/28.11.2014, effective 28.11.2014, SG No. 14/20.02.2015, SG No. 32/5.05.2015, SG No. 61/11.08.2015, SG No. 85/24.10.2017, SG No. 96/1.12.2017, effective 1.01.2018, amended and supplemented, SG No. 20/6.03.2018, effective 6.03.2018, SG No. 44/4.06.2019, amended, SG No. 21/13.03.2020, effective 13.03.2020, SG No. 17/26.02.2021, amended and supplemented, SG No. 21/12.03.2021, SG No. 22/18.03.2022, effective 18.03.2022, supplemented, SG No. 20/8.03.2024, amended, SG No. 79/17.09.2024, amended and supplemented, SG No. 43/27.05.2025, effective 27.05.2025, supplemented, SG No. 74/9.09.2025, SG No. 96/11.11.2025, effective 11.11.2025

(\*) effective 1.07.2007 - amended, SG No. 80/3.10.2006, effective 3.10.2006

(\*\*) effective 1.01.2008 - amended, SG No. 53/30.06.2007, effective 30.06.2007

Text in Bulgarian: Закон за насърчаване на инвестициите

## **Chapter One GENERAL PROVISIONS**

Article 1. (1) (Amended, SG No. 37/2004, redesignated from Article 1, SG No. 42/2007, amended, SG No. 41/2009) This Act regulates the terms and procedure for the promotion of investments in the territory of the Republic of Bulgaria, the operation of State bodies in the field of investment promotion, as well as protection of investments.

(2) (New, SG No. 42/2007) The principal purposes of this Act are:

1. (supplemented, SG No. 41/2009) to enhance the competitiveness of the Bulgarian economy through increase of investments in scientific research, innovations and technological development in high value added production and services respecting the principles of sustainable development;
2. (amended, SG No. 41/2009) to improve the investment climate and to tackle regional disparities in social and economic development;
3. to create new and highly productive jobs.

(3) (New, SG No. 20/2024) This Act regulates the terms and procedure for the implementation of screening of foreign direct investments on the grounds of security or public order, in accordance with Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union (OJ L 79 I/1 of 21 March 2019), hereinafter referred to as "Regulation (EU) 2019/452".

Article 2. (Amended, SG No. 37/2004, SG No. 41/2009) Investment promotion under this Act shall be performed mainly through:

1. (amended, SG No. 16/2013) provision of administrative services with shortened waiting time and provision of individualised administrative services;
2. (amended and supplemented, SG No. 43/2025, effective 27.05.2025) sale or onerous creation of a limited right in rem to immovables constituting private State property, private municipal property or property of a public enterprise under the terms established by Article 22a (10) herein without an auction or a competitive bidding procedure, at market or lower prices;
3. (repealed, SG No. 43/2025, effective 27.05.2025);
4. financial assistance for the construction of physical-infrastructure elements;
5. (amended, SG No. 43/2025, effective 27.05.2025) financial support for training within the meaning given by Article 31 of Commission Regulation (EU) No. 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187/1 of 26 June 2014) and subsequent amendments, hereinafter referred to as "Regulation (EU) No. 651/2014";
6. (new, SG No. 16/2013) financial support for partial reimbursement of the compulsory social and health insurance contributions made by the investor for the account thereof, in the capacity thereof as employer, for public social insurance, for supplementary compulsory retirement insurance and for compulsory health insurance in respect of the newly appointed factory and office workers for the implementation of the investment project;
7. (amended, SG No. 96/2017, effective 1.01.2018) opportunities for other forms of State aid, institutional support, or establishing of joint ventures for priority investment projects;
8. (repealed, SG No. 21/2021);
9. (renumbered from Item 6, SG No. 16/2013, amended, SG No. 43/2025, effective 27.05.2025) grants for priority investment projects in the manufacturing industry, as well as in education and scientific research under terms and according to a procedure established by the Regulations for Application of this Act.

Article 2a. (New, SG No. 37/2004, amended, SG No. 41/2009) (1) (Amended, SG No. 16/2013, SG No. 32/2015, SG No. 20/2018, effective 6.03.2018, SG No. 43/2025, effective 27.05.2025) The provisions on investment promotion in Chapters Three and Four herein, where the promotion measures which are being provided are State aids, implement the requirements of Commission Regulation (EU) No. 651/2014.

(2) (Amended, SG No. 32/2015, supplemented, SG No. 43/2025, effective 27.05.2025) The aid measures for investment promotion, where the said measures are State aids, shall be applied as a multi-sector regional investment aid scheme and training aid scheme, fulfilling all the conditions of Chapter I, as well as all relevant provisions of Chapter III of Regulation (EU) No. 651/2014 for compatibility with the common market within the meaning given by Article 107(3) of the Treaty on the Functioning of the European Union and shall be exempt from the notification requirement of Article 108(3) of the Treaty on the Functioning of the European Union under the conditions of Article 3 of Regulation (EU) No. 651/2014.

(3) (Amended, SG No. 32/2015) The measures for individual regional investment aid or individual training aid which do not fulfil the conditions under Paragraph (2) and of Regulation (EU) No. 651/2014 shall be subject to notification to the European Commission, hereinafter referred to as the "Commission", in accordance with Article 108 of the Treaty on the Functioning of the European Union.

Article 3. (1) Should an international treaty whereto the Republic of Bulgaria is a party provide for more favourable terms for the carrying out of economic activity by non resident persons, the more favourable terms shall apply as provided for by the said international treaty.

(2) (Repealed, SG No. 16/2013).

Article 4. (Repealed, SG No. 42/2007).

Article 5. (Repealed, SG No. 37/2004).

Article 6. (Repealed, SG No. 42/2007).

Article 7. (Amended, SG No. 34/2006, repealed, SG No. 42/2007).

Article 8. (Repealed, SG No. 37/2004).

Article 9. (Supplemented, SG No. 158/1998, effective 27.12.1998, repealed, SG No. 37/2004).

## **Chapter Two**

# **STATE POLICY IN THE FIELD OF INVESTMENTS**

### **(Heading amended, SG No. 37/2004)**

Article 10. (Amended, SG No. 37/2004) (1) (Amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) The Minister of Innovation and Growth shall ensure the conduct of the State policy in the field of investments in interaction with the executive authorities.

(2) (Amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) The Minister of Innovation and Growth shall:

1. (repealed, SG No. 43/2025, effective 27.05.2025);
2. (supplemented, SG No. 42/2007, amended, SG No. 41/2009) prepare and implement programmes and measures for investment promotion in co-operation with the executive authorities and stakeholding non-governmental organisations;
3. elaborate and propose drafts of statutory instruments on promotion of investment activity in Bulgaria;
4. represent the Republic of Bulgaria at international organisations in the field of investments;
5. (amended, SG No. 16/2013) propose the allocation of the resources required for investment promotion under Items 7 and 8 in the State Budget of the Republic of Bulgaria Act for the relevant year;
6. (new, SG No. 16/2013) propose the inclusion of investment promotion measures under Items 7 and 8 in the operational programmes co-financed by the funds of the European Union;
7. (new, SG No. 42/2007, renumbered from Item 6, supplemented, SG No. 16/2013, amended, SG No. 43/2025, effective 27.05.2025) issue an investment class certificate and a priority investment project certificate and lay proposals before the Council of Ministers for approval of the contracts for the allocation of resources for the application of the financial measures for investment promotion according to the procedure established by this Act;
8. (new, SG No. 41/2009, renumbered from Item 7, SG No. 16/2013) lay proposals before the Council of Ministers for the conclusion of memoranda or agreements under Article 22f herein;
9. (new, SG No. 44/2019, amended, SG No. 21/2021, repealed, SG No. 22/2022, effective 18.03.2022, new, SG No. 43/2025, effective 27.05.2025) lay proposals before the Council of Ministers for the conclusion of memorandums or agreements with potential investors;
10. (new, SG No. 43/2025, effective 27.05.2025) elaborate and adopt a methodology for the provision of grants for priority investment projects in the manufacturing industry subject to the requirements of Regulation (EU) No. 651/2014.

Article 11. (Amended, SG No. 37/2004, SG No. 42/2007) (1) Each regional governor shall perform the following functions:

1. ensure the conduct of the State policy of investment promotion within the territory of the administrative region;
2. (amended, SG No. 21/2020, effective 13.03.2020, SG No. 43/2025, effective 27.05.2025) organise the elaboration of investment promotion measures and coordinate the execution thereof;

3. coordinate the work of the executive authorities and of the administrations thereof within the territory of the administrative region under Items 1 and 2;
4. (new, SG No. 16/2013) exercise control as to the legal conformity of the acts and steps of the bodies of local self-government and the local administration upon implementation of the provisions of Section II of Chapter Four herein;
5. (new, SG No. 43/2025, effective 27.05.2025) gather information from municipality mayors in the area of the Class C certificates as issued and the Class C investment projects as promoted during the calendar year and provide the said information to the Minister of Innovation and Growth and to the Executive Director of the Invest Bulgaria Agency.

(2) The municipality mayor:

1. (amended, SG No. 21/2020, effective 13.03.2020) ensure the conduct of the policy of investment promotion within the territory of the municipality upon the elaboration and implementation of integrated development plan of the municipality and the programme for its implementation;
  2. facilitate the application of investment promotion measures under this Act;
  3. (new, SG No. 16/2013) issue a certificate on investment projects of municipal importance and apply the promotion measures within the competence thereof.
- (3) (Supplemented, SG No. 16/2013) The municipality mayor may empower the borough mayors and the mayoralty mayors to perform the functions covered under Items 1 and 2 of Paragraph (2).

Article 11a. (New, SG No. 37/2004) (1) (Amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) There shall be established an Invest Bulgaria Agency, hereinafter referred to as "the Agency," which shall assist the Minister of Innovation and Growth in the implementation of the State policy in the field of investment promotion.

(2) (Amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) The Agency shall be a public-financed legal person with a head office in Sofia and shall enjoy the status of an executive agency under the Minister of Innovation and Growth.

(3) The organisation and operation of the Agency shall be regulated by Rules of organisation, adopted by the Council of Ministers.

(4) The annual State Budget of the Republic of Bulgaria Act shall allocate action resources for performance of investment marketing by the Agency.

(5) (Amended, SG No. 42/2007, SG No. 41/2009, repealed, SG No. 38/2012, effective 1.07.2012).

(6) (Repealed, SG No. 38/2012, effective 1.07.2012).

Article 11b. (New, SG No. 37/2004, amended, SG No. 42/2007) The Agency:

1. implement the provision of information services to investors;
2. perform investment marketing by presenting and advertising abroad investment opportunities in Bulgaria;
3. implement the provision of individualised administrative services to investors according to the procedure established by this Act;
4. (amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) prepare an annual plan for attraction and servicing of investors and present the said plan to the Minister of Innovation and Growth for approval not later than the 31st day of December of the preceding year; the plan for the current year shall be updated on a quarterly basis;
5. (amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) prepare an annual report on investments in Bulgaria and on the conditions for investment promotion, and present the said report to the Council of Ministers care of the Minister of Innovation and Growth;
6. (amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) prepare quarterly reports on the activity thereof in connection with the annual plan referred to in Item 4, and present the said reports to the Minister of Innovation and Growth;
7. (supplemented, SG No. 43/2025, effective 27.05.2025) host and update an Internet site providing information on:
  - (a) the investment climate and business climate in Bulgaria;

- (b) (amended, SG No. 21/2021) vacant grounds for industrial parks, industrial zones and technology parks for the implementation of investments by functional region in Bulgaria with an economic and investment profile of the region;
- (c) (amended, SG No. 16/2013) blank forms and standard forms of applications for the award of a Class A and Class B investment certificate and a priority investment project certificate and enjoyment of [investment] promotion measures according to the procedure established by this Act;
- (d) (new, SG No. 16/2013) the certificates issued according to the procedure established by this Act;
- (e) (new, SG No. 16/2013) the Internet sites of the municipalities whereon the information referred to in Item 7 of Article 22i herein is published;
- (f) (renumbered from Littera (d), SG No. 16/2013) other information;
8. (new, SG No. 41/2009) issue a document certifying the execution of the investment project at the request of the investor or of the relevant competent local or central government authority in connection with the application of the respective promotion measure according to this Act; where the issuing of such document is requested by a certified investor, the expenses incidental to the preparation of accounting and auditor reports shall be borne by the said investor;
9. (new, SG No. 20/2024) notify the Interdepartmental Council on Screening of Foreign Direct Investments on the Grounds of Security or Public Order of the applications received for granting authorisations under Chapter Six herein;
10. (new, SG No. 43/2025, effective 27.05.2025) provide pre-investment, investment and post-investment services and, to this end, pursue coordination with the relevant municipalities and the central-government departments and legal persons concerned whose ambit includes the measures and activities related to a particular investment project.

Article 11c. (New, SG No. 37/2004) (1) (Amended, SG No. 41/2009) The Agency shall keep and maintain an information system for the purposes of statistics, pooling therein data on investments in Bulgaria.

(2) (Amended, SG No. 41/2009) For amplification of the information system, the Agency shall receive data from:

1. (supplemented, SG No. 41/2009) the National Statistical Institute: at the end of each quarter, in respect of the costs of acquisition of tangible fixed assets incurred during the quarter;
2. the Bulgarian National Bank: at the end of each quarter, in respect of the foreign investments made in Bulgaria during the quarter;
3. (new, SG No. 41/2009) the Registry Agency: at the end of each quarter, in respect of the registrations in the Commercial Register;
4. (renumbered from Item 3, SG No. 41/2009) other central and local executive authorities: upon request by the Agency.

(3) (Amended, SG No. 16/2013, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) The Agency shall provide data on investments to the Minister of Innovation and Growth, to other State bodies and interested parties according to a procedure established by the Rules of Organisation of the Agency.

## **Chapter Three**

### **INVESTMENT PROMOTION**

#### **(Heading amended, SG No. 37/2004)**

### **Section I**

#### **(New, SG No. 42/2007)**

## **Investment Promotion Conditions and Measures**

Article 12. (Amended, SG No. 28/2002, SG No. 37/2004, SG No. 59/2006, SG No. 42/2007, SG No. 41/2009) (1) (Supplemented, SG No. 16/2013, amended, SG No. 32/2015, amended and supplemented, SG No. 43/2025, effective 27.05.2025) The procedure established by this Chapter and by Chapter Four herein shall apply to the promotion of investments in tangible and intangible fixed assets and the new jobs linked thereto which are implemented within the territory of the Republic of Bulgaria. The measures referred to in Article 2a (2) herein shall be applied in accordance with the requirements of Regulation (EU) No. 651/2014.

(2) The investments referred to in Paragraph (1) must fulfil the following conditions:

1. they must be related to the setting-up of a new enterprise, to the extension of an existing enterprise/activity, to diversification of the output of an enterprise/activity into new products or to a fundamental change in the overall production process of an existing enterprise/activity;
2. they must be implemented in the economic activities specified in the Regulations for Application of this Act with the corresponding codes, identified according to the effective Statistical Classification of Economic Activities in the European Community (NACE) and, respectively, the direct application thereof in the Republic of Bulgaria through the corresponding classification;
3. (amended, SG No. 20/2018, effective 6.03.2018) at least 80 percent of the income from the investment project which is being executed must be from economic activities under Item 2 for the period specified in Item 8;
4. (amended, SG No. 32/2015) the period for execution of the investment must not exceed three years from the date of start of works on the project until the date of completion of the said project, including for a large investment project within the meaning given by Article 2 (52) and Article 14 (13) of Regulation (EU) No. 651/2014;
5. (supplemented, SG No. 16/2013) within any single establishment, they must not be below the threshold amount fixed by the Regulations for Application of this Act, and the said amount may be reduced:
  - (a) (amended, SG No. 16/2013) up to three times for investment projects which are to be entirely implemented within the administrative boundaries of economically disadvantaged regions designated by the Regulations for Application of this Act;
  - (b) (amended, SG No. 16/2013) up to three times for investments in high-technology activities of the industrial sector of the economy, specified by the Regulations for Application of this Act;
  - (c) (amended, SG No. 16/2013) up to five times for investments in high-technology activities of the services sector, specified by the Regulations for Application of this Act;
  - (d) (new, SG No. 16/2013) more than five times, where employment, within the meaning given by Item 7, is created and maintained in high-technology activities or in economically disadvantaged regions and up to three times in the rest of the economic activities, the requirements to the employment being specified by the Regulations for Application of this Act;
  - (e) (new, SG No. 20/2024) more than five times for investments in strategic installations relevant to national security;
6. (amended, SG No. 16/2013, SG No. 43/2025, effective 27.05.2025) at least 25 per cent of the eligible costs of the tangible and intangible assets must be financed by [the investor's] own resources or by external financing in a form excluding public support;
7. (amended, SG No. 16/2013, SG No. 32/2015, SG No. 43/2025, effective 27.05.2025) they must create and maintain employment which must be directly related to the implementation of the investment project in the cases and under the terms provided for in the Regulations for Application of this Act; upon applying for any measures referred to in Article 22e and Article 22f (3) herein, where promotion under Item 6 of Article 15 (1) herein is provided, the conditions of Article 14(9) of Regulation (EU) No. 651/2014 must be simultaneously fulfilled;
8. (amended, SG No. 32/2015, SG No. 43/2025, effective 27.05.2025) the investment in the economic activity referred to in Item 2 must be maintained in the respective area where the said investment is located for at least five years, and in the case of small and medium-sized enterprises, three years, reckoned from the date of completion of the said investment;

9. (amended, SG No. 32/2015, SG No. 43/2025, effective 27.05.2025) the tangible and intangible fixed assets acquired must be new and must be bought on market conditions from third parties independent of the investor;
10. (amended, SG No. 32/2015, repealed, SG No. 43/2025, effective 27.05.2025).

Article 13. (Amended, SG No. 37/2004, SG No. 42/2007) (1) Promotion shall not be extended to the investment of any person:

1. who has been convicted by an enforceable sentence, unless rehabilitated;
  2. which has been adjudicated bankrupt or is subject to pending bankruptcy proceedings, or has made an out-of-court arrangement with the creditors thereof within the meaning given by Article 740 of the Commerce Act;
  3. which has been put into liquidation;
  4. (amended, SG No. 43/2025, effective 27.05.2025) who or which incurs any exigible public claims with the exception of claims under statements that have not become enforceable, as well as re-scheduled, deferred or secured claims;
  5. (new, SG No. 16/2013) who or which has unpaid labour remunerations to factory and office workers, established by an enforceable penalty decree.
- (2) Promotion shall not be extended to the investments of any non-resident person in respect of whom any of the circumstances covered under Paragraph (1) exist in the State of establishment thereof according to the national legislation thereof.
- (3) The requirement referred to in Item 1 of Paragraph (1) shall apply to the sole owners of the capital, to the managing directors or to the members of the management bodies of the investors, and in case the said members are legal persons, to the representatives of the said persons on the relevant management body.
- (4) (New, SG No. 43/2025, effective 27.05.2025) The circumstance referred to in Item 4 of Paragraph (1) shall be verified by the Agency according to the procedure established by Article 87 (11) of the Tax and Social-Insurance Procedure Code.

Article 13a. (New, SG No. 42/2007) Promotion shall not be extended to any investments:

1. (amended, SG No. 41/2009, SG No. 32/2015) in enterprises with regard to which the conditions specified in Article 1 (4) of Regulation (EU) No. 651/2014 apply;
2. (amended, SG No. 45/2012, effective 1.09.2012, SG No. 96/2017, effective 1.01.2018, SG No. 17/2021) for the performance of privatisation contracts under the Privatization And Post-Privatization Control Act, or for the performance of concession agreements, or for extraction of subsurface resources under the Subsurface Resources Act, and in performance of compensatory (offset) arrangements;
3. (amended, SG No. 41/2009, SG No. 32/2015) in activities and economic sectors according to Article 1 (2) (c) and (d) and (3) (a) to (d) and Article 13 (a) to (c) of Regulation (EU) No. 651/2014.

Article 14. (Repealed, SG No. 153/1998, new, SG No. 37/2004, amended, SG No. 42/2007, SG No. 41/2009) (1) (Amended, SG No. 16/2013, SG No. 43/2025, effective 27.05.2025) A certificate under Article 20 herein shall be issued for any investments which comply with the requirements of Articles 12 to 13a herein. The said certificate shall entitle the holder to enjoy the measures covered under Items 1 to 6 of Article 15 (1) herein in the cases where the requirements for enjoyment of the measure concerned are complied with. The said certificate shall be issued by the Minister of Innovation and Growth.

(2) (Supplemented, SG No. 16/2013, SG No. 14/2015, amended, SG No. 22/2022, effective 18.03.2022, SG No. 43/2025, effective 27.05.2025) The investments referred to in Paragraph (1) shall be designated as Class A or as Class B on the basis of the criteria of a threshold amount of investments and/or employment referred to in Items 5 and 7 of Article 12 (2) herein.

(3) (New, SG No. 16/2013, amended, SG No. 14/2015, SG No. 21/2021, SG No. 22/2022, effective 18.03.2022, amended and supplemented, SG No. 43/2025, effective 27.05.2025) The investments referred to in Paragraph (1) shall be designated as a priority investment project on the basis of the

criteria for a threshold amount of investments and employment referred to in Article 22f (1) and (2) herein. The priority investment project certificate shall be issued on the basis of a Council of Ministers decision under Article 22f (4) herein. The priority investment project certificate shall be signed by the Minister of Innovation and Growth or by the Minister of Innovation and Growth and another empowered person, including a regional governor or a mayor or a representative of an academic community organisation for industrial parks according to Article 22f (5) herein for enjoyment of the measures referred to in Article 15 (2) herein.

(4) (New, SG No. 16/2013) The investments referred to in Paragraph (1) shall be designated as Class C investments of municipal importance on the basis of the criteria of a threshold amount of investments and employment referred to in Article 22h (2) herein. The certificate shall be issued by the municipality mayor on the basis of a Municipal Council resolution under Item 3 of Article 22i herein for enjoyment of the measures referred to in Article 22h (3) herein.

Article 15. (Repealed, SG No. 153/1998, new, SG No. 37/2004, amended, SG No. 65/2006, SG No. 82/2006, SG No. 42/2007) (1) (Amended, SG No. 41/2009, supplemented, SG No. 16/2013) Investments which have been awarded a Class A or a Class B certificate under Item 1 of Article 20 (1) herein shall be promoted for the performance of the investment project through:

1. shortened waiting time for the provision of administrative services according to the procedure established by Article 21 herein;
2. provision of individualised administrative services needed for the implementation of the investment project according to the procedure established by Article 22 herein;
3. acquisition of a right of ownership or limited rights in rem to immovables according to the procedure established by Article 22a herein;
4. financial support for construction of physical-infrastructure elements needed for the implementation of one or more investment projects according to the procedure established by Article 22b herein;
5. (amended, SG No. 43/2025, effective 27.05.2025) financial support for training of persons who have occupied the new jobs linked to the investments according to the procedure established by Article 22c herein;
6. (new, SG No. 16/2013) financial support for partial recovery of the compulsory social and health insurance contributions made by the investor for the account thereof, in the capacity thereof as employer, for public social insurance, for supplementary compulsory retirement insurance and for compulsory health insurance in respect of the newly appointed factory and office workers according to the procedure established by Article 22e herein.

(2) (New, SG No. 16/2013, amended, SG No. 43/2025, effective 27.05.2025) The priority investment projects referred to in Article 22f herein may be promoted by a package of measures according to the procedure established by Article 22f (2) herein. The resources required for application of the financial measures shall be allocated on the basis of the decision of the Council of Ministers referred to in Article 22f (3) herein.

(3) (New, SG No. 16/2013) The investment projects of municipal importance for which a Class C certificate has been issued by the municipality mayor shall be promoted by the measures according to the procedure established by Article 22h (3) herein.

(4) (Renumbered from Paragraph (2), amended and supplemented, SG No. 16/2013, amended, SG No. 61/2015(\*), SG No. 43/2025, effective 27.05.2025) Investments referred to in Paragraphs (1) to (3) shall furthermore be promoted according to the procedure established by the Corporate Income Tax Act, the Value Added Tax Act, the Employment Promotion Act and the Agricultural Land Ownership and Use Act, if they fulfil the conditions provided for in the said acts.

(5) (Amended, SG No. 15/2013, effective 1.01.2014, renumbered from Paragraph (3), amended, SG No. 16/2013) The resources required for the application of the financial measures referred to in Items 4 to 6 of Paragraph (1), shall be allocated annually by the State Budget of the Republic of Bulgaria Act.

(6) (New, SG No. 16/2013) The resources for application of the financial measures referred to in Paragraphs (1) and (2) shall furthermore be provided under the operational programmes co-financed by the funds of the European Union.

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*\*This amendment concerns new spelling of a Bulgarian word which does not affect the English version.*

Article 16. (Repealed, SG No. 153/1998, new, SG No. 37/2004, amended, SG No. 42/2007, SG No. 41/2009) (1) (Redesignated from Article 16, amended, SG No. 16/2013, SG No. 43/2025, effective 27.05.2025) The investment promotion measures covered under Items 4 to 6 of Article 15 (1) and Item 1 of Article 22f (3) herein shall be applied where:

1. the investor has submitted an application referred to in Article 18 (1) herein before starting work on the investment project;

2. (amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) by the certificate referred to in Item 1 of Article 20 (1) herein, the Minister of Innovation and Growth has certified in writing:

(a) (amended, SG No. 41/2009, SG No. 32/2015, SG No. 43/2025, effective 27.05.2025) that the project conforms with the conditions of the regional investment aid scheme and/or the training aid scheme according to Regulation (EU) No. 651/2014, where the promotion measures constitute State aids, or

(b) (amended, SG No. 41/2009, SG No. 32/2015, SG No. 43/2025, effective 27.05.2025) that the said Minister intends to apply the measure constitutes State aid to the condition that the measure is approved by the European Commission according to the procedure established by the State Aids Act in the cases where the said measure does not fall within the scope of block exemption, according to Regulation (EU) No. 651/2014 with regard to regional investment aid;

3. (amended, SG No. 41/2009, SG No. 32/2015) the conditions under Article 2a herein for applying Regulation (EU) No. 651/2014 are fulfilled;

4. (amended, SG No. 41/2009) a favourable opinion by the relevant competent environment authority, or a favourable environmental impact assessment decision according to the effective legislation, has been issued on the investment project;

5. (new, SG No. 16/2013) the investor and the legal persons referred to in Article 17 (1) herein declare that they are not in arrears in respect of payments due to suppliers of goods and services in the execution of the investment project.

(2) (New, SG No. 16/2013, amended, SG No. 61/2015, SG No. 20/2018, effective 6.03.2018, SG No. 22/2022, effective 18.03.2022, SG No. 43/2025, effective 27.05.2025) Where an investment promotion measure under Item 3 of Article 15 (1) herein is applied for, a document shall be presented to certify the advance consent of the relevant competent authority.

Article 17. (Repealed, SG No. 153/1998, new, SG No. 37/2004, amended, SG No. 42/2007, SG No. 43/2025, effective 27.05.2025) (1) The investment promotion measures may be applied in respect of two or more legal persons whose investment project is certified.

(2) The persons referred to in Paragraph (1) may be related persons within the meaning given by § 1 (1) of the Supplementary Provisions of the Commerce Act, as well as a grouping within the meaning given by the Commerce Act or the Obligations and Contracts Act.

(3) The persons referred to in Paragraph (1) shall be jointly liable for the fulfilment of the obligations thereof to implement and maintain the investment.

(Chapter Four - PRIORITY INVESTMENT PROJECTS)

(Heading repealed, SG No. 37/2004)

## **Section II**

### **(New, SG No. 42/2007)**

## **Certificate Issuing Procedure** **(Heading amended, SG No. 41/2009)**

Article 18. (Repealed, SG No. 153/1998, new, SG No. 37/2004, corrected, SG No. 40/2004, amended, SG No. 42/2007) (1) (Amended, SG No. 16/2013) The investor shall submit an application to the Executive Director of the Agency for the award of a Class A, Class B or priority investment project certificate under Article 14 (2) and (3) herein, stating therein the investment promotion measures covered under Article 15 (1), (2) and (4) herein which the investor wishes to enjoy.

(2) (Amended, SG No. 43/2025, effective 27.05.2025) The investor shall describe the investment project thereof in the application thereof and shall enclose the requisite documents as specified in the Regulations for Application of this Act.

(3) (Amended, SG No. 100/2010, effective 1.07.2011, SG No. 85/2017) The application and the documents referred to in Paragraphs (1) and (2) may alternatively be presented in electronic form, signed by a qualified electronic signature, pursuant to the requirements of Regulation (EU) No. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ, L 257/73 of 28.8.2014) and of the Electronic Document and Electronic Trust Services Act.

(4) The requirements for the investment project shall be determined by the Regulations for Application of this Act.

(5) (New, SG No. 16/2013) The investor shall submit an application to the municipality mayor for the award of a Class C investment certificate, stating therein the measures covered under Article 15 (3) and (4) herein, complying with Paragraphs (2) to (4).

Article 19. (Repealed, SG No. 153/1998, new, SG No. 37/2004, amended, SG No. 42/2007) (1) (Redesignated from Article 19, SG No. 16/2013) The Executive Director of the Agency:

1. (supplemented, SG No. 16/2013) shall evaluate the documents referred to in Article 18 (1) to (4) herein as received according to a procedure established by the Regulations for Application of this Act;

2. (supplemented, SG No. 43/2025, effective 27.05.2025) shall notify the investor of any non-conformities and/or deficiencies in the documents referred to in Article 18 herein as ascertained within 14 days after the submission of the said documents and shall allow time for curing the said non-conformities and/or deficiencies;

3. (amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) shall prepare, on the basis of the evaluation referred to in Item 1, a reasoned proposal to the Minister of Innovation and Growth to issue or to refuse to issue an investment class certificate;

4. (amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) shall transmit to the Minister of Innovation and Growth the proposal referred to in Item 3 together with the full set of documents referred to in Article 18 herein within thirty days after the submission of the said documents.

(2) (New, SG No. 16/2013) The municipality mayor:

1. shall evaluate the documents referred to in Article 18 (5) herein;

2. (supplemented, SG No. 43/2025, effective 27.05.2025) shall notify the investor of any non-conformities and/or deficiencies in the documents referred to in Article 18 (5) herein as ascertained within 14 days after the submission of the said documents and shall allow time for curing of the said non-conformities and/or deficiencies;

3. shall prepare, on the basis of the evaluation referred to in Item 1, a reasoned proposal to the Municipal Council to issue a Class C investment certificate or to refuse to issue a certificate in the cases covered under Article 19a herein;

4. shall transmit to the Municipal Council the proposal referred to in Item 3 together with the full set of documents referred to in Article 18 (5) herein within thirty days after the submission of the said documents.

Article 19a. (New, SG No. 42/2007) An investment class certificate shall not be issued where:

1. the requirements covered under Article 18 herein are not complied with, or
2. the investment does not fulfil the conditions covered under Article 12 herein, or
3. any of the circumstances covered under Article 13a herein applies, or
4. the investment is of a person covered under Article 13 herein, or
5. the documents referred to in Article 18 herein are non-conforming and/or deficient, and the said non-conformities and/or deficiencies are not cured within six months reckoned from the date of submission of the application.

Article 20. (Repealed, SG No. 153/1998, new, SG No. 37/2004, amended, SG No. 86/2006, SG No. 42/2007) (1) (Amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) The Minister of Innovation and Growth or an official empowered thereby:

1. (supplemented, SG No. 16/2013) shall issue a certificate designating thereby the investment as Class A, Class B or as a priority investment project under Article 22f herein in pursuance of a Council of Ministers decision, according to a procedure established by the Regulations for Application of this Act;
2. shall refuse to issue a certificate in the cases covered under Article 19a herein;
3. (amended, SG No. 16/2013, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) shall publish information on the investments certified and promoted under this Act on the Internet site of the Ministry of Innovation and Growth or of the Agency.

(2) (Amended, SG No. 16/2013, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) At the request of the Minister of Innovation and Growth or of the municipality mayor, the Minister of Finance, the Minister of Labour and Social Policy and the other competent authorities shall provide information on the investments certified under this Act which are promoted according to the procedure established by Article 15 (4) herein.

(3) (New, SG No. 16/2013) The municipality mayor:

1. shall issue a Class C investment certificate on the basis of a Municipal Council resolution according to the procedure established by Articles 22h and 22i herein;
2. shall refuse to issue a Class C investment certificate in the cases referred to in Article 19a herein;
3. shall provide information on the Class C investments certified and promoted under this Act on the Internet site of the municipality and by the annual report referred to in Item 8 of Article 22i herein.

Article 20a. (New, SG No. 16/2013, amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) At the request of an investor, the Minister of Innovation and Growth may extend, on a single occasion, the period of validity of a certificate referred to in Item 1 of Article 20 (1) herein by up to two years according to the procedure for the issuing of the said certificate where:

1. the administrative services are not performed within the waiting time referred to in Article 21 herein for a reason beyond the control of the investor;
2. the measure under Article 22a herein is not implemented for a reason beyond the control of the investor;
3. the investment project is not executed in whole or in part as a result of force majeure specified in a contract or in an agreement with the investor under this Act, or under the applicable law of the European Union.

Article 20b. (New, SG No. 43/2025, effective 27.05.2025) (1) Where the implementation of an investment project is impeded in whole or in part as a result of legally non-conforming instruments, acts or omissions by authorities and officials upon or in connection with the

performance of an administrative activity, the investor may claim compensation according to the procedure established by the Act on the Liability of the State and the Municipalities for Damage.

(2) In the cases referred to in Paragraph (1), as well as where the implementation of certified investment projects is impeded by force majeure, whereupon the immovables wherein the said projects are to be implemented are affected to an extent that the said immovables are rendered unusable, the Agency shall assist the investor in finding other suitable immovables in a manner specified in the Regulations for Application of this Act.

### **Section III**

#### **(New, SG No. 42/2007)**

## **Application of Investment Promotion Measures**

Article 21. (Amended and supplemented, SG No. 153 of 1998, amended, SG No. 37/2004, SG No. 42/2007) (1) (Amended, SG No. 43/2025, effective 27.05.2025) Upon presentation of an investment class certificate, the central and territorial executive authorities shall perform the provision of administrative services to the investors within a waiting time that is one-half shorter than the waiting time provided for in the relevant statutory instruments, save in the cases covered under Paragraphs (2) to (5).

(2) Administrative services shall be provided by the competent authorities within five days after receipt of a request from the investor in the cases referred to in:

1. (Supplemented, SG No. 20/2018) Article 140 (1), Article 141 (8), item 2 and Article 144 (3), item 1 of the Spatial Development Act;
2. Article 26 (3) of the Roads Act;
3. (Repealed, SG No. 20/2018, effective 6.03.2018).

(3) Administrative services shall be provided by the competent authorities within fourteen days after receipt of a request by the investor in the cases referred to in:

1. (Amended, SG No. 41/2009, SG No. 20/2018, effective 6.03.2018) Article 141 (8), item 1, Article 144 (3), item 2 of the Spatial Development Act;
2. (Repealed, SG No. 20/2018, effective 6.03.2018);
3. Article 62a (1) of the Water Act.

(4) (Amended, SG No. 41/2009, SG No. 82/2012, effective 25.11.2012) Administrative services shall be provided by the competent authorities within thirty days after receipt of a request by the investor in the cases referred to in Article 62a (3) of the Spatial Development Act.

(5) (Amended, SG No. 69/2008, SG No. 88/2010, effective 1.01.2011) For the provision of administrative services to investors who or which have been awarded an investment class certificate, the State sanitary control authorities and the fire safety and population protection authorities, each acting within the competence vested therein, shall issue the requisite documents within fourteen days.

Article 22. (Corrected, SG No. 99/1997, repealed, SG No. 37/2004, new, SG No. 42/2007) (1) The provision of individualised administrative services, needed for the implementation of Class A investments, shall be performed by officers of the Agency in dealing with all central executive authorities and, in the rest of the cases, by the officials of the administration of the territorial executive authorities referred to in Article 22d (1) herein.

(2) For the implementation of the provision of individualised administrative services, the investor shall authorise the persons referred to in Paragraph (1) and shall provide the said persons with the requisite documents.

(3) Upon the implementation of the provision of individualised administrative services to an investor, the persons referred to in Paragraph (1) shall be obliged:

1. to provide the investor with full and accurate information on the required documents, time limits and fees under specific laws;

2. to facilitate the issuing and receipt, from the relevant competent authorities, of all documents required for the implementation of the relevant investment and for carrying out the economic activity related thereto.

(4) The fees for the issuing of any documents referred to in Item 2 of Paragraph (3), as fixed by a statutory instrument, shall be for the account of the investor.

(5) The procedure for the provision of individualised administrative services shall be established in the Regulations for Application of this Act.

Article 22a. (New, SG No. 42/2007) (1) At the request of an investor who or which has been awarded an investment class certificate, the relevant competent authority may:

1. (amended, SG No. 66/2013, effective 26.07.2013, SG No. 98/2014, effective 28.11.2014, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) sell a corporeal immovable constituting private State property in the location of the investment without conduct of an auction, after an appraisal and written consent from the Minister of Regional Development and Public Works and, in respect of any immovables allocated for management to the Ministry of Defence, without conduct of an auction, after an appraisal and written consent from the Minister of Defence, whereafter the Regional Governor shall issue an order on transfer of the right of ownership and shall conclude a contract with the investor;

2. sell a corporeal immovable constituting private municipal property in the location of the investment without conduct of an auction or a competitive bidding procedure, after an appraisal and a Municipal Council resolution; on the basis of the said resolution, the municipality mayor shall issue an order and shall conclude a contract with the investor;

3. (amended, SG No. 66/2013, effective 26.07.2013, SG No. 98/2014, effective 28.11.2014, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) create onerously a limited right in rem to a corporeal immovable constituting private State property in the location of the investment without conduct of an auction, after an appraisal and written consent from the Minister of Regional Development and Public Works, whereafter the Regional Governor shall issue an order on creation of a limited right in rem and shall conclude a contract with the investor;

4. create onerously a limited right in rem to a corporeal immovable constituting private municipal property in the location of the investment without conduct of an auction or a competitive bidding procedure, after an appraisal and a Municipal Council resolution; on the basis of the said resolution, the municipality mayor shall issue an order and shall conclude a contract with the investor;

5. (new, SG No. 43/2025, effective 27.05.2025) conclude a contract for lease with the investor for land tracts referred to in Article 19 of the Agricultural Land Ownership and Use Act, which are unirrigated land tracts of Category Seven to Ten or non-categorizable land tracts, for a term not exceeding ten years.

(2) (Amended and supplemented, SG No. 41/2009) The appraisals referred to in Paragraph (1) shall be conducted by at least two independent appraisers, and the end market price may not be lower than the arithmetic mean of the value arrived at by the independent appraisals as prepared. The authority referred to in Paragraph (1) may commission an assessment of the adequacy of the size of the immovable to the purposes of execution of the investment project.

(3) (Supplemented, SG No. 41/2009, SG No. 16/2013, amended, SG No. 79/2024) Non-execution of the investment project in respect of the period of implementation and amount of the investment shall be included in the relevant contract as grounds for rescission. A failure to start work on the investment project within two years after the conclusion of the contract referred to in Paragraph (1) shall likewise be grounds for rescission. The investment shall be considered non-executed where the amount of the said investment is below the requisite threshold specified under Item 5 of Article 12 (2) herein and the condition referred to in Paragraph (13) is not fulfilled, which is established by financial statements and an information sheet certified by a registered auditor according to the Independent Financial Audit and Assurance of Sustainability Reporting Act. The expenses on the work of the auditor shall be borne by the investor.

(4) The contracts referred to in Paragraph (1) shall be concluded in writing and shall be recorded on an instruction by the recording magistrate exercising jurisdiction over the location of the immovable.

(5) (Supplemented, SG No. 22/2022, effective 18.03.2022) The relevant competent authority referred to in Paragraphs (1), (10) and (11) shall transmit a copy of the contract to the Agency within seven days after the conclusion of the said contract.

(6) (Amended, SG No. 14/2015, amended and supplemented, SG No. 22/2022, effective 18.03.2022) The information on the transactions effected in any corporeal immovables constituting private State and private municipal property, as for the transactions under paragraphs 1, 10 and 11 and on the results of the performance of the contracts shall be provided in a timely fashion by the Agency to the Minister of Innovation and Growth and shall be included in the annual report referred to in Item 5 of Article 11b herein.

(7) (Amended, SG No. 41/2009, supplemented, SG No. 21/2021, SG No. 43/2025, effective 27.05.2025) The investor and/or the person referred to in Article 17 herein may not dispose of the immovables acquired according to the procedure established by Paragraph (1) and may not transfer to third parties the limited rights in rem created to any such immovables prior to the expiry of the period referred to in Item 8 of Article 12 (2) herein except for an investment project envisaging the establishment of an industrial park or an industrial zone or technology park.

(8) (Supplemented, SG No. 41/2009) The contracts referred to in Paragraph (1) shall be concluded under the conditions of the effective State aids legislation and according to a procedure established by the Regulations for Application of this Act.

(9) (New, SG No. 41/2009, amended, SG No. 32/2015) The rights to the immovables referred to in Paragraph (1) may be transferred or created at prices lower than the market ones, where the price may not be lower than the tax assessment of the immovable, for priority investment projects under Article 22f herein, provided that all conditions for implementing the regional investment aid scheme under Regulation (EU) No. 651/2014, as established by the Regulations for Application of this Act, are fulfilled.

(10) (New, SG No. 41/2009, supplemented, SG No. 18/2010, effective 5.03.2010, amended, SG No. 14/2015, SG No. 32/2015, SG No. 22/2022, effective 18.03.2022, SG No. 43/2025, effective 27.05.2025) Any public enterprises referred to in Items 1 and 2 of Article 2 (1) of the Public Enterprises Act without a private participating interest in the capital thereof, as well as where any such public enterprises hold interests or shares in commercial corporations wherein the State and/or the municipality is a co-shareholder or partner, may sell, exchange or create onerously a limited right in rem to immovables without an auction or a competitive bidding procedure:

1. at the request of an investor who or which has been awarded an investment class certificate and after a written authorisation from the owner of the capital; in such cases, an appraisal shall be conducted according to the procedure established by Paragraph (2) and the requirements of Paragraphs (3) to (8) shall apply;

2. for priority investment projects referred to in Article 22f herein at prices lower than the market ones, where the price may not be lower than the tax assessment of the immovable, after a written authorisation from the owner of the capital, provided that all conditions for implementing the regional investment aid scheme under Regulation (EU) No. 651/2014, as established by the Regulations for Application of this Act, are fulfilled.

(11) (New, SG No. 41/2009, amended, SG No. 43/2025, effective 27.05.2025) Any public enterprises referred to in Items 1 and 2 of Article 2 (1) of the Public Enterprises Act without a private participating interest in the capital thereof, as well as where any such public enterprises hold interests or shares in commercial corporations wherein the State and/or the municipality is a co-shareholder or partner, may let out own immovables thereof at market prices through direct negotiations after an appraisal carried out according to the procedure established by Paragraph (2) and authorisation from the owner of the capital for priority investment projects referred to in Article 22f herein.

(12) (New, SG No. 41/2009, amended, SG No. 43/2025, effective 27.05.2025) With regard to grounds constituting private State property and private municipal property, allocated by the relevant competent authority under Article 22 (1) herein, as well as with regard to grounds allocated according to the procedure established by Item 2 of Paragraph (10), no stamp duty shall be paid upon alteration of the assigned use of the land for the implementation of priority investment projects. The investors and the persons referred to in Article 22f (1) and (5) herein shall enjoy the same rights with regard to grounds necessary for the implementation of priority investment projects in the location of the investment, this measure being part of the package of promotion measures under Article 22f (3) herein.

(13) (New, SG No. 16/2013, amended, SG No. 43/2025, effective 27.05.2025) The rights to the immovables referred to in Paragraph (1) and Paragraph (10) may be transferred or created solely if the amount of the investment planned in terms of costs of tangible fixed assets is more than three times larger than the market appraisal of the immovable under Paragraph (2). Non-compliance with the requirement shall be included in the respective contract with the investor as grounds for rescission of the said contract under Paragraph (3).

(14) (New, SG No. 43/2025, effective 27.05.2025) In the cases under Paragraph (10), where the implementation of the investment project is planned in an immovable lacking an effective detailed plan or the implementation of the investment project necessitates a modification of the detailed plan, the time limit for execution of the project may be suspended until the entry into effect of the detailed plan for a period which may not exceed 24 months. The conditions for a suspension of the time limit for execution of the project shall be settled in the contract with the investor under Paragraph (10).

(15) (New, SG No. 43/2025, effective 27.05.2025) Paragraphs (10) and (11) shall not apply to any state-owned enterprises established by special laws pursuant to Article 62 (3) of the Commerce Act.

Article 22b. (New, SG No. 42/2007) (1) (Amended, SG No. 41/2009, SG No. 14/2015, SG No. 21/2021, SG No. 22/2022, effective 18.03.2022, SG No. 43/2025, effective 27.05.2025) After implementation of the requirements under Article 16 herein, acting on a proposal by the Minister of Innovation and Growth, the Council of Ministers shall approve the contracts for the allocation of resources for financial support for the construction of physical-infrastructure elements constituting public municipal property or public State property from the nearest constructed infrastructure element to the boundaries of:

1. (supplemented, SG No. 43/2025, effective 27.05.2025) the immovable for the implementation of a Class A investment and of a priority investment project;
2. (amended, SG No. 43/2025, effective 27.05.2025) an industrial zone or a technology park certified under the terms established by Article 22f herein as priority investment projects;
3. (new, SG No. 43/2025, effective 27.05.2025) an industrial park entered in the register of industrial parks and certified as a priority investment project under Item 1 of Article 22f (2) herein.

(2) (Amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022, SG No. 43/2025, effective 27.05.2025) The maximum amount of resources under Paragraph (1), in cases where the said resources do not constitute State aid, shall be determined by the Regulations for Application of this Act as a percentage of the value of the investment.

(3) The relationships in connection with the construction of the physical infrastructure under Paragraph (1) shall be regulated by the Regulations for Application of this Act according to the effective State aids legislation.

(4) (Amended, SG No. 41/2009) The investments referred to in Paragraph (1) which are implemented in high-technology activities or within the administrative boundaries of economically disadvantaged regions, shall be promoted on a priority basis.

Article 22c. (New, SG No. 42/2007, amended and supplemented, SG No. 41/2009, amended, SG No. 16/2013, SG No. 14/2015, SG No. 32/2015, SG No. 22/2022, effective 18.03.2022, SG No. 43/2025, effective 27.05.2025) (1) Acting on a proposal by the Minister of Innovation and Growth, the Council of Ministers shall approve the contracts for the allocation of

resources for financial support for the provision of training within the meaning of Article 31 of Regulation (EU) No. 651/2014 to employees, who have occupied the new jobs created upon the implementation of a Class A, Class B investment, or priority investment project, where:

1. the investment is implemented in high-technology activities or entirely within the administrative boundaries of economically disadvantaged regions;
2. employment is created and maintained as a result of the investment under the conditions provided for in the Regulations for Application of this Act;
3. the annual labour remuneration of those employed under an employment relationship under the project is higher than the average in the country for the relevant economic activity in which the investment project is implemented, according to data from the National Statistical Institute for the period of employment maintenance of at least 5 years - for a large enterprise, or three years - in the case of a small and medium-sized enterprise.

(2) The resources referred to in Paragraph (1) are provided on the basis of a contract with the investor – employer, who can conduct the training independently or through another person.

(3) The relationships in connection with the training shall be regulated according to Regulation (EU) No. 651/2014 in respect of training aid and according to a procedure established by the Regulations for Application of this Act.

Article 22d. (New, SG No. 42/2007) (1) Officials shall be designated at each central and territorial administration to implement the provision of administrative services to any investors who or which have been awarded an investment class certificate or to authorised representatives of any such investors in connection with the implementation of the investment projects thereof.

(2) All central executive authorities shall be obliged to cooperate with the officers of the Agency for the implementation of the provision of individualised administrative services to investors.

Article 22e. (New, SG No. 42/2007, amended, SG No. 41/2009, SG No. 16/2013) (1) (Amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022, SG No. 43/2025, effective 27.05.2025) Acting on a proposal by the Minister of Innovation and Growth, the Council of Ministers shall approve the contracts for the allocation of resources for partial reimbursement, for a period not longer than twenty-four months after the creation of the job concerned, of the compulsory social-security contributions made by the investor for the account thereof, in the capacity thereof as employer, for public social insurance, for supplementary compulsory retirement insurance and for compulsory health insurance in respect of the factory and office workers who have occupied the new jobs, where the following conditions are simultaneously fulfilled:

1. a Class A, Class B, or priority investment project certificate has been issued for the investment;
2. (amended, SG No. 43/2025, effective 27.05.2025) the employment created by the implementation of the investment project, defined as average number of employees on payroll, fulfils the conditions referred to in Item 5 of Article 12 (2) herein and Article 14(9)(a) and (b) of Regulation (EU) No. 651/2014;
3. (amended, SG No. 43/2025, effective 27.05.2025) the annual labour remuneration of the persons hired under an employment relationship at the enterprise of the investor exceeds the national average for the economic activity concerned in which the investment project is implemented, according to data of the National Statistical Institute for the period during which the employment is maintained under Article 14(9)(c) of Regulation (EU) No. 651/2014;
4. the person implementing the investment referred to in Item 1 is not liable for non-performance of contracts concluded under programmes, measures and training under the Employment Promotion Act;
5. resources from other public sources of financing have not been received for the same costs.

(2) To be eligible for application of the measure under Paragraph (1), the newly created jobs must be occupied by Bulgarian citizens, citizens of another Member State of the European Union, of another State which is a Contracting Party to the Agreement on the European Economic Area, of the Swiss Confederation or by persons covered under Article 18 (3) of the Employment Promotion Act.

(3) The investments referred to in Item 1 of Paragraph (1), which are implemented in high-technology activities or within the administrative boundaries of economically disadvantaged regions, shall be promoted on a priority basis.

(4) (Amended, SG No. 32/2015) The allocation of the resources under Paragraph (1) shall be effected complying with the requirements of Regulation (EU) No. 651/2014.

(5) The terms and procedure for application of Paragraphs (1) to (4) shall be established by the Regulations for Application of this Act.

## **Chapter Four**

**(New, SG No. 41/2009)**

# **PRIORITY INVESTMENT PROJECTS AND PROJECTS OF MUNICIPAL IMPORTANCE**

**(Heading amended, SG No. 16/2013)**

## **Section I**

**(New, SG No. 16/2013)**

# **Priority Investment Projects of National or Regional Importance**

Article 22f. (New, SG No. 41/2009) (1) (Amended, SG No. 32/2015, supplemented, SG No. 20/2024, amended, SG No. 43/2025, effective 27.05.2025) Priority investment projects shall be investment projects which are executed in the economic activities defined according to the procedure established by Item 2 of Article 12 (2) herein and are related to the economic development, defence and national security of the Republic of Bulgaria or for the development of the functional regions in Bulgaria. The said projects must satisfy the following requirements:

1. investments made within any single establishment in an amount fixed by the Regulations for Application of this Act;

2. employment created through investments, whereupon the minimum number of employed persons is specified by the Regulations for Application of this Act.

(2) (New, SG No. 43/2025, effective 27.05.2025) Priority investment projects under Paragraph (1) may furthermore envisage:

1. the establishment of industrial zones or the establishment of industrial parks entered in the Register of Industrial Parks with the physical infrastructure necessary for attracting investments, under terms and according to a procedure established in the Regulations for Application of this Act;

2. the establishment of technology parks with the physical infrastructure necessary for attracting investments in scientific research and/or education, and/or information technologies, including innovative activities for technological renovation of manufacturing products and technologies under terms and according to a procedure established by the Regulations for Application of this Act;

3. the construction or expansion of production facilities and storage facilities with the necessary physical infrastructure of strategic installations relevant to national security.

(3) (Renumbered from Paragraph (2), SG No. 43/2025, effective 27.05.2025) Priority investment projects can be promoted by a package of measures which include:

1. (amended, SG No. 16/2013) the measures covered under Article 15 (1) and (4) herein in respect of Class A and Class B investments, including:

(a) (amended, SG No. 43/2025, effective 27.05.2025) financial support for the construction of physical-infrastructure elements under Article 22b herein, as specified by this Act;

- (b) (amended, SG No. 32/2015) other regional investment aid measures defined as transparent aid within the meaning given by Article 5 of Regulation (EU) No. 651/2014;
2. the measures referred to in Article 22a (9) to (12) herein;
3. (amended, SG No. 96/2017, effective 1.01.2018) institutional support under Article 22g herein;
4. (new, SG No. 20/2024, amended, SG No. 43/2025, effective 27.05.2025) the requirements of Item 3 of Article 12 (2) and Article 22a (13) herein shall not apply to any priority investment projects referred to in Item 3 of Paragraph (2).
- (4) (Amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022, renumbered from Paragraph (3), supplemented, SG No. 43/2025, effective 27.05.2025) The Minister of Innovation and Growth shall lay before the Council of Ministers a proposal for the conclusion of a memorandum or agreement of understanding between the Government of the Republic of Bulgaria and an investor whereof the investment intentions satisfy the requirements of Paragraphs (1) and (2), where applicable.
- (5) (Amended, SG No. 21/2021, renumbered from Paragraph (4), amended, SG No. 43/2025, effective 27.05.2025) The proposal referred to in Paragraph (4) shall be submitted to the Council of Ministers on the basis of a written request received from an investor having an investment project referred to in Paragraphs (1) and (2), as well as from interested territorial executive authorities and from local self-government authorities in the location of the investment. In the cases referred to in Item 1 of Paragraph (2), where the industrial park is intended to attract investments in scientific research and/or education, and/or information technology, including innovation activities for the technological enhancement of manufactured products and manufacturing technologies, the proposal shall furthermore be submitted on the basis of a written request from a higher school or another academic organisation.
- (6) (Amended, SG No. 32/2015, renumbered from Paragraph (5), SG No. 43/2025, effective 27.05.2025) Priority investment projects shall be promoted under terms and according to a procedure established by the Regulations for Application of this Act, according to Regulation (EU) No. 651/2014 as a State aid scheme, and/or in accordance with the requirements of the State Aids Act.

Article 22g. (New, SG No. 41/2009) (1) (Amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022) Acting on a proposal by the Ministry of Innovation and Growth, the Council of Ministers can establish an inter-departmental working group for ensuring institutional support to a priority investment project. Representatives of the interested central and local executive authorities, of the academic community and non-governmental organisations may participate in such working group.

(2) (Amended, SG No. 43/2025, effective 27.05.2025) An interdepartmental working group may alternatively be established by order of the Minister of Innovation and Growth in connection with an investment interest declared by a potential investor envisaging the implementation of a project of high importance for the national economy, according to Article 22f herein.

## **Section II**

### **(New, SG No. 16/2013)**

## **Investment Projects of Municipal Importance**

Article 22h. (New, SG No. 16/2013) (1) For the promotion of investments of municipal importance, the Municipal Council shall adopt an ordinance establishing the terms and procedure for the issuing of a Class C certificate and application of the measures according to the requirements of Chapter Three herein and the Regulations for Application of this Act.

(2) Projects of municipal importance shall be promoted as Class C investments under Article 14 (4) herein where implemented within the administrative boundaries of a specified municipality and fulfilling the conditions of the ordinance referred to in Paragraph (1). Any such projects:

1. may be executed in all sectors of the economy with the exception of those specified in Item 3 of Article 13a herein; the economic activities shall be identified according to the effective Statistical Classification of Economic Activities in the European Community (NACE) and, respectively, the direct application thereof in the Republic of Bulgaria through the corresponding classification;
  2. envisage an amount of the investment not exceeding the threshold amount for Class B under Item 5 of Article 12 (2) herein, as fixed by the Regulations for Application of this Act;
  3. create employment within the meaning given by Item 7 of Article 12 (2) herein and the minimum number of employed persons may be a criterion for the issuing of a Class C certificate simultaneously with the amount of the investment.
- (3) Investments of municipal importance, which have been awarded a Class C certificate, shall be promoted for the execution of the investment project through:
1. shortened waiting time for the provision of administrative services provided by the municipality within the territory whereof the investment is implemented;
  2. provision of individualised administrative services provided by the municipality within the territory whereof the investment is implemented;
  3. (amended, SG No. 43/2025, effective 27.05.2025) acquisition of a right of ownership or limited rights in rem to immovables constituting private municipal property according to the procedure established by Items 2, 4 and 5 of Article 22a (1) herein, complying with the terms established by Article 22a (1) to (8) and (13) herein; the measure shall be applied in case it has not been applied for by an investor according to the procedure established by Article 18 herein upon the issuing of a Class A investment certificate, a Class B investment, or a priority investment project certificate for the same immovable constituting private municipal property.

Article 22i. (New, SG No. 16/2013) The municipality mayor shall perform the following functions:

1. acting on a Municipal Council resolution, shall elaborate and shall propose for adoption the ordinance referred to in Article 22h (1) herein;
2. shall publish the ordinance referred to in Article 22h (1) herein on the Internet site of the municipality within fourteen days after the adoption of the said ordinance by the Municipal Council;
3. shall issue or shall refuse to issue a Class C investment certificate after a Municipal Council resolution in pursuance of Article 20 herein;
4. shall apply the promotion measures covered under Article 22h (3) herein according to a procedure established by the ordinance referred to in Article 22h (1) herein;
5. in the cases of application of the measure referred to in Items 2 and 4 of Article 22a (1) herein to immovables constituting private municipal property, shall commission the preparation of an appraisal within the meaning given by Article 22a (2) herein;
6. shall provide information to the regional governor on the investment proposals received, the Class C certificates issued and the application of the measure referred to in Items 2 and 4 of Article 22a (1) herein;
7. shall maintain, on the Internet site of the municipality:
  - (a) an up-to-date list of the vacant grounds and other corporeal immovables for the implementation of investments;
  - (b) blank forms and standard forms of applications for the award of a Class C investment certificate and enjoyment of [investment] promotion measures according to the ordinance referred to in Article 22h (1) herein;
  - (c) information on the Class C investment certificates issued by the municipality;
8. shall prepare an annual report on the Class C investment certificates issued and the [investment] promotion measures provided, and shall present the said report to the regional governor and the Executive Director of the Agency, which shall be included in the annual report on investments in Bulgaria referred to in Item 5 of Article 11b herein.

## **Section III**

### **(New, SG No. 74/2025)**

## **Other Provisions Applicable to Investment Projects**

Article 22j. (New, SG No. 74/2025) (1) Upon the implementation of priority investment projects of national or regional importance and for investment proposals designated as works of national importance by an act of the Council of Ministers or such that are works of strategic importance within the meaning given by the Environmental Protection Act, and for industrial parks of strategic importance under the Industrial Parks Act, the central and territorial executive authorities shall provide administrative services or shall clear, or shall pronounced according to the procedure established by the Environmental Protection Act, as well as authorise/approve the implementation of any such investment projects according to the procedure established by a special law, within time limits that are shorter by one half compared to those provided for in the relevant statutory instrument.

(2) For the implementation of a project referred to in Paragraph (1), where a favourable opinion is needed or when holding consultations under the Environmental Protection Act with specialised central-government departments, in connection with a notification of an investment proposal, plan, programme related to a project referred to in Paragraph (1), when assessing the information regarding the need of an environmental assessment or an environmental impact assessment, of an environmental assessment report or an environmental impact assessment report, the central and territorial executive authorities shall pronounce or shall express an opinion within time limits that are shorter by one half compared to those provided for in the relevant statutory instrument. The time limit for pronouncement or for expressing an opinion shall begin to run from the date of receipt of the request from the contracting entity or the competent authority. In the event of a failure to pronounce or to express an opinion within the time limit, tacit consent shall be presumed.

(3) Where there are no provisions for pronouncement under Paragraphs (1) and (2), the competent authority or an official empowered thereby shall pronounce within 14 days. Where there are no provisions for a time limit for ensuring public access to information through the website of the competent authority or for the provision of a copy of the information to the municipality/borough/mayoralty concerned, such access shall be ensured within three days of receipt of the said information.

(4) Paragraphs (1) to (3) shall not apply upon the design and construction of solar photovoltaic converters and wind power generators within the meaning given by the Energy from Renewable Sources Act.

Article 22k. (New, SG No. 74/2025) (1) Should any additional information be needed about the investment proposal, plan, programme, the time limits referred to in Article 22j (1) and (2) herein shall be suspended from the date of dispatch of a letter or an act of the competent authority or an official empowered thereby until the provision of the said information.

(2) The competent authority or an official empowered thereby shall require not more than twice additional information on an investment proposal, plan, programme as submitted.

(3) Paragraphs (1) and (2) shall furthermore apply in the cases under sentences one and two of Article 22j (3) herein.

## **Chapter Five**

### **(Repealed, SG No. 37/2004, effective 4.05.2004)**

## **RULES APPLICABLE TO FOREIGN INVESTORS**

### **(Heading amended, SG No. 43/2025, effective 27.05.2025)**

Article 23. (Repealed, SG No. 37/2004, effective 4.05.2004, new, SG No. 42/2007) Any foreign investments made prior to legislative revisions imposing statutory restrictions solely on foreign investments shall be governed by the legal provisions which were effective at the moment when the said investments were made.

Article 24. (Repealed, SG No. 37/2004, effective 4.05.2004, new, SG No. 42/2007) (1) Any non-resident person, who [or which] is entitled to carry on commercial business under the national legislation thereof, may establish trade representation offices in Bulgaria which must be registered at the Bulgarian Chamber of Commerce and Industry.

(2) The representation offices referred to in Paragraph (1) shall not be legal persons and may not carry out economic activity.

(3) The transactions, which any non-resident person shall conclude with any resident persons for the needs of a representation office registered by the said non-resident person under Paragraph (1), shall be effected according to the procedure established for the conduct of transactions between resident persons.

Article 25. (Repealed, SG No. 37/2004, effective 4.05.2004, new, SG No. 42/2007) Any non-resident natural person or association which is not a legal person may register a wholly owned subsidiary, should the said person or association have been registered as entitled to carry on commercial business under the national law thereof. Any such subsidiary shall be recorded in the Commercial Register with the Registry Agency.

Article 26. (Repealed, SG No. 37/2004, effective 4.05.2004).

## **Chapter Six**

**(Amended, SG No. 110/1999, repealed, SG No. 37/2004, new,  
SG No. 20/2024)**

# **NATIONAL SCREENING MECHANISM FOR FOREIGN DIRECT INVESTMENTS ON THE GROUNDS OF SECURITY OR PUBLIC ORDER, IN ACCORDANCE WITH REGULATION (EU) 2019/452**

Article 27. (Repealed, SG No. 37/2004, new, SG No. 20/2024) (1) A foreign direct investment shall be made by a foreign investor after the Interdepartmental Council on Screening of Foreign Direct Investments, hereinafter referred to as "Interdepartmental Screening Council", has granted an authorisation if the object of the said investment is any of the fields of activity specified in Article 4(1) of Regulation (EU) 2019/452 and meets one of the following conditions:

1. the ownership of at least 10 per cent of the capital of an enterprise which operates in Bulgaria is acquired through the implementation of the investment, or the value of the investment exceeds the threshold of EUR 2,000,000 or the lev equivalent thereof;
2. the ownership of at least 10 per cent of the capital of an enterprise which operates in Bulgaria and performs high-technology activities is acquired through the implementation of the investment;
3. a new investment is implemented, which exceeds the threshold of EUR 2,000,000 or the lev equivalent thereof.

(2) By way of exception, any foreign direct investments which are new investments or do not exceed the threshold of EUR 2,000,000 or the lev equivalent thereof may be subject to consideration and authorisation by the Interdepartmental Screening Council on a proposal by a member of the Council who is competent in the sector concerned wherein the investment is to be implemented, in consultation with the representatives of the State Agency for National Security and the State Intelligence Agency.

- (3) (Amended, SG No. 43/2025, effective 27.05.2025) All foreign direct investments in establishments, activities, the enterprises or the capital of persons performing activities referred to in Item 8 of Article 2 (1) of the Act on Administrative Regulation of Economic Activities Associated with Crude Oil and Petroleum-Derived Products shall be subject to screening according to the procedure established by this Act.
- (4) All foreign direct investments by a foreign investor from Russia or the Republic of Belarus shall be subject to screening according to the procedure established by this Act.
- (5) Where the State Agency for National Security and the State Intelligence Agency make a reasoned request to this effect, a foreign direct investment shall be subject to screening by the Interdepartmental Screening Council notwithstanding the criteria under Paragraph (1) where there are indications that the said investment may affect security and public order.
- (6) The performance of screening of a foreign direct investment under the terms and according to the procedure established by this Act shall not exempt the foreign investor from the obligations thereof established in other laws.
- (7) Foreign direct investments within the scope of Paragraph (1) shall be subject to screening according to the procedure established by this Act irrespective of the restrictions as to threshold of investment where a country outside the European Union holds, whether directly or indirectly, an ownership interest in the capital of the foreign investor, including by through significant funding by a State body. Where the foreign investor is a company whereof the shares are traded on a regulated market, sentence one shall apply in case the direct or indirect ownership interest holding by a country outside the European Union in the capital of the said company exceeds 5 per cent. This procedure shall not apply to the countries referred to in Paragraphs (8) and (9).
- (8) Acting on a motion by the Council of Ministers, the National Assembly shall adopt a resolution establishing a list of countries outside the European Union posing a low risk for the purposes of applying the screening mechanism.
- (9) (Supplemented, SG No. 43/2025, effective 27.05.2025) For the purposes of applying the screening mechanism, the rules on screening for Member States of the European Union shall apply to any countries included in the list referred to in Paragraph (8), as well as to the United States of America, the United Kingdom of Great Britain [and Northern Ireland], Canada, Australia, New Zealand, Japan, the Republic of Korea, the United Arab Emirates, a Contracting Party to the Agreement on the European Economic Area, the Swiss Confederation and the Kingdom of Saudi Arabia.
- (10) (New, SG No. 96/2025, effective 11.11.2025) The State Agency for National Security, in the performance of its functions under Article 6 (6) of the State Agency for National Security Act, shall conduct a preliminary examination and issue a written opinion prior to performing disposal transactions involving company participating interests and shares in the capital of Lukoil-Bulgaria EOOD, Lukoil Neftohim Burgas AD, Lukoil Aviation Bulgaria EOOD and Sustainable Energy Supply Ltd., as well as involving company rights, participating interests or shares in other legal entities in their ownership structure, registered in the territory of the Republic of Bulgaria or in the territory of a third country, owned or controlled directly or indirectly by Lukoil OAO, Russia, or persons related to it.
- (11) (New, SG No. 96/2025, effective 11.11.2025) The State Agency for National Security shall conduct a preliminary examination and issue a written opinion prior to performing disposal transactions involving immovable property, as well as movable assets and facilities intended for processing, production, storage and sale of oil and petroleum products property of Lukoil-Bulgaria EOOD, Lukoil Neftohim Burgas AD, Lukoil Aviation Bulgaria EOOD and Sustainable Energy Supply Ltd.
- (12) (New, SG No. 96/2025, effective 11.11.2025) Disposal transactions under Paragraphs (10) and (11) may be performed following a Council of Ministers decision, subject to a favourable opinion of the State Agency for National Security.
- (13) (New, SG No. 96/2025, effective 11.11.2025) Disposal transactions under Paragraphs (10) and (11) performed without a Council of Ministers decision, shall be null and void.

Article 27a. (New, SG No. 20/2024) (1) Any foreign investor intending to make a foreign direct investment under Article 27 (1) herein shall be obliged to submit in advance an application for granting an authorisation.

(2) The application for granting an authorisation shall be submitted by the investor care of the Agency to the Interdepartmental Screening Council according to the procedure established by this Act.

(3) The application referred to in Paragraph (1) shall be submitted simultaneously with an application for issuing a permit, licence, or entry in a register provided for in another law. Proceedings under this Chapter shall not be a ground for a suspension of issuing proceedings for a permit, licence, or entry in a register provided for in another law, except in the cases provided for in the law concerned.

Article 27b. (New, SG No. 20/2024) (1) The application for granting an authorisation shall contain at least the information referred to in Article 9(2) of Regulation (EU) 2019/452, with information on the requisite documents and the conditions for the submission of an application, as well as the standard form of an application, being available on the Internet site of the Agency.

(2) The application for granting an authorisation shall be submitted in a standard form in Bulgarian together with an English translation. The documents accompanying the application shall be produced in the original or in copies certified by the applicant or an authorised representative thereof.

(3) Within three days after an application has been received, the Agency shall verify the conformity of the said application and the documents as submitted to the requirements of this Act and of Regulation (EU) 2019/452 and shall transmit the said application for consideration to the Interdepartmental Screening Council.

(4) In case the application does not conform to the requirements of this Act and Regulation (EU) 2019/452, the Agency shall notify the applicant within seven days to remedy the non-conformities.

(5) In the cases under Paragraph (4), the time limit for consideration of the application shall begin to run from the date whereon the application has been brought into conformity with the requirements of this Act and Regulation (EU) 2019/452.

(6) The applicant for granting an authorisation shall be responsible for the accuracy and completeness of the information provided.

Article 27c. (New, SG No. 20/2024) (1) There shall be established an Interdepartmental Council on Screening of Foreign Direct Investments on the Grounds of Security or Public Order with the Council of Ministers.

(2) The Interdepartmental Screening Council shall be a standing collegial body which shall consider the applications for making foreign direct investments as received and shall grant an authorisation or shall refuse to grant a foreign direct investment authorisation. The Council shall consist of the following members:

1. Chairperson: a Deputy Prime Minister designated by the Council of Ministers;
2. Deputy Chairperson: the Minister of Innovation and Growth or a Deputy Minister authorised thereby;
3. members:
  - (a) a representative of the Ministry of Defence;
  - (b) a representative of the Ministry of Interior;
  - (c) a representative of the Ministry of Finance;
  - (d) a representative of the Ministry of Health;
  - (e) a representative of the Ministry of Foreign Affairs;
  - (f) a representative of the Ministry of Economy and Industry;
  - (g) a representative of the Ministry of Transport and Communications;
  - (h) a representative of the Ministry of Electronic Governance;
  - (i) a representative of the Ministry of Energy;
  - (j) a representative of the State Agency for National Security;

- (k) a representative of the State Intelligence Agency;
  - (l) a representative of the Commission on Protection of Competition;
  - (m) a representative of the Financial Supervision Commission;
  - (n) a representative of the Communications Regulation Commission;
  - (o) a representative of the Energy and Water Regulatory Commission.
- (3) The list of named members of the Interdepartmental Screening Council shall be determined by the Council of Ministers acting on a proposal by the heads of the central-government departments concerned in accordance with the requirements specified in the Regulations for Application of this Act.
- (4) There shall be established a secretariat with the Interdepartmental Screening Council whereof the expert and technical functions shall be determined in the Rules of Organisation and Operation of the Council. The secretariat shall be a unit in the administration of the Council of Ministers.
- (5) A quorum consisting of the majority of the members of the Interdepartmental Screening Council shall be required for the valid transaction of business at the meetings of the said Council. The decisions on granting or on refusing to grant an authorisation shall be adopted by a majority of all members according to a procedure established in the Rules of Organisation and Operation of the Council.
- (6) The representatives of the Commission on Protection of Competition, the Communications Regulation Commission, the Energy and Water Regulatory Commission and of the Financial Supervision Commission shall perform advisory functions and shall not participate in the voting of the decisions of the Interdepartmental Screening Council.
- (7) Once every six months, the Interdepartmental Screening Council shall prepare a report on the activity thereof and shall present the said report to the Council of Ministers, which shall lay the said report before the National Assembly for consideration. The report shall furthermore include aggregated data on the number of applications under Article 27f (1) herein and on the number of decisions under Items 1 to 3 of Article 27f (2) herein.
- (8) The Interdepartmental Screening Council shall prepare the annual report and the information referred to in Article 5(1) and (2) of Regulation (EU) 2019/452 and shall send the said report and information to the European Commission.
- (9) The Council of Ministers shall adopt Rules of Organisation and Operation of the Interdepartmental Council on Screening of Foreign Direct Investments on the Grounds of Security or Public Order.

Article 27d. (New, SG No. 20/2024) (1) The making of a foreign direct investment under Article 27 (1) herein shall commence after an authorisation has been granted according to the procedure established by this Act by the Interdepartmental Screening Council.

(2) The Interdepartmental Screening Council may, ex officio and by way of exception, institute verification proceedings for a foreign direct investment that could be subject to screening according to the procedure established by this Act and in respect of which an application for authorisation has not been submitted, in case of receipt of an opinion from the European Commission or an alert from a Member State containing sufficient information.

(3) Within three months after becoming aware of an intervening circumstance which is a prerequisite for the institution of screening proceedings for a foreign direct investment according to the procedure established by this Act, the Interdepartmental Screening Council may institute such proceedings ex officio.

(4) In the cases under Paragraph (2), upon receipt of an opinion from the European Commission requiring the performance of a screening of an investment that has been completed or an alert from a Member State, the Interdepartmental Screening Council shall make a decision on the commencement of proceedings for the performance of a screening of an investment that commenced within two years prior to the receipt of the said opinion or alert.

(5) The notification, opinion or alert under Paragraphs (3) and (4) shall be well-founded where the investor has commenced the implementation of the investment qualifying for the performance of a screening under Article 27 herein and has not submitted an application under Article 27a (1) herein.

(6) All State bodies and officials of the State administration and municipal administration shall be bound to provide the necessary information for the purposes of the screening at the request of the Interdepartmental Screening Council.

Article 27e. (New, SG No. 20/2024) (1) The Interdepartmental Screening Council shall cooperate with the European Commission in accordance with the provisions of Articles 6 and 7 of Regulation (EU) 2019/452 regarding the cooperation mechanism with Member States of the European Union, and with the European Commission in the field of foreign direct investments.

(2) The Interdepartmental Screening Council shall be a contact point according to Article 11 of Regulation (EU) 2019/452 which shall undertake communication with the European Commission and the other Member States of the European Union.

Article 27f. (New, SG No. 20/2024) (1) Upon consideration of applications for granting an authorisation for direct investments, the Interdepartmental Screening Council shall apply the criteria referred to in Article 4 of Regulation (EU) 2019/452, under the terms and according to the procedure established by this Act and the Regulations for Application of this Act.

(2) Within 45 days after the receipt of an application or, respectively, after the non-conformities therein have been remedied, the Interdepartmental Screening Council shall adopt a decision whereby:

1. the Council shall grant an authorisation for making a foreign direct investment in Bulgaria if the said investment does not affect security or public order and is not likely to affect projects or programmes of European Union interest;

2. the Council shall grant a conditional authorisation for making the foreign direct investment after the foreign investor has executed restrictive measures prescribed by the Interdepartmental Screening Council; the said restrictive measures may be:

(a) limiting the right to acquire up to 20 per cent of the capital of a company;

(b) limiting the right to acquire up to 10 per cent of the capital of a company in high-technology manufacturing;

(c) directions for personal data protection, for safeguarding information security or other such: on a proposal by a competent regulatory authority;

(d) retaining special rights in favour of the State upon decision making within the competence of the general meeting and the management for commercial corporations with a share capital (so-called "golden share") in the cases of transactions which are being effected according to the procedure established by the Privatisation and Post-Privatisation Control Act;

3. the Council shall reject the application for granting a foreign direct investment authorisation if the Council considers that the said application affects the security or public order of Bulgaria or is likely to affect projects or programmes of European Union interest.

(3) Where the foreign direct investment that is to be made in Bulgaria is likely to affect projects or programmes of European Union interest, the Interdepartmental Screening Council shall adopt a decision subject to the requirements of Article 8 of Regulation (EU) 2019/452, taking into account the opinion of the European Commission. In such case, the time limit under Paragraph (2) shall be suspended until receipt of the opinion from the European Commission.

(4) The Interdepartmental Screening Council shall adopt a decision under Paragraph (2) also in the cases referred to in Article 27d (2) and (3) herein.

(5) Depending on the specificity of the foreign direct investment considered and if it deems it necessary, the Interdepartmental Screening Council may request opinions from other authorities or institutions.

(6) The opinions referred to in Paragraph (5) shall be of a consultative nature and shall be sent to the Interdepartmental Screening Council not later than 15 days after the request.

(7) Where there are indications that an authorisation for a foreign direct investment has been granted on the basis of inaccurate or incomplete information provided by the foreign investor, the Interdepartmental Screening Council shall initiate repeated proceedings.

(8) The decisions of the Interdepartmental Screening Council regarding the application for granting a foreign direct investment authorisation shall be individual administrative acts, shall be communicated to the foreign investor, and shall be appealable according to the procedure established by the Administrative Procedure Code.

(9) The time limit under Paragraph (2) may be extended on a single occasion by up to 30 days by a decision of the Interdepartmental Screening Council.

(10) Where the Interdepartmental Screening Council fails to rule within the time limits referred to in Paragraphs (2) and (9), tacit consent within the meaning given by Article 28 of the Act Restricting Administrative Regulation and Administrative Control over Economic Activity shall be presumed.

(11) The decisions referred to in Items 2 and 3 of Paragraph (2):

1. shall be taken respecting the principles of necessity and proportionality;
2. shall be reasoned, while excluding any information whereof the disclosure is contrary to the protection of essential security interests of Bulgaria.

Article 27g. (New, SG No. 20/2024) (1) Information shall be processed, stored and destroyed according to the procedure established by the applicable legislation depending on the nature of the data. The personal data as collected shall be processed in accordance with the requirements of the Personal Data Protection Act.

(2) The Chairperson, the Deputy Chairperson and the members of the Interdepartmental Screening Council, as well as the employees of the administration of the Agency, shall not have the right to disseminate the information that has come to the knowledge thereof in the course of work on the application of this Act. The Chairperson, the Deputy Chairperson and the members of the Interdepartmental Screening Council, shall have access to classified information according to the procedure established by the Classified Information Protection Act.

Article 27h. (New, SG No. 20/2024) In the cases of screening proceedings under Article 27 (5) and Article 27d (2) to (5) herein which are concluded by a decision on a conditional authorisation for making the investment or on rejection of the application for granting a foreign direct investment authorisation, the costs incurred until the decision concerned becomes enforceable shall be borne by the investor.

## **Chapter Six "a"**

### **(New, SG No. 16/2013)**

# **CONTROL OVER EXECUTION OF INVESTMENT PROJECTS**

Article 28. (Repealed, SG No. 37/2004, new, SG No. 16/2013) (1) (Amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022, SG No. 43/2025, effective 27.05.2025) Control shall be exercised by:

1. the Executive Director of the Agency regarding the execution of investment projects which have been awarded a Class A, Class B and priority investment certificate;
2. the Minister of Innovation and Growth or by an official empowered thereby or by another authority providing the promotion measure, regarding the application of the promotion measures.

(2) (Amended, SG No. 43/2025, effective 27.05.2025) The control referred to in Item 1 shall be implemented in respect of the execution of the investment in terms of threshold amount and period in the respective economic activity and/or size of the employment created.

(3) (Amended, SG No. 79/2024) The amount of investments made shall be certified for the reporting period by means of an interim financial statement and annual financial statements according to the procedure established by the Accountancy Act, accompanied by a description of the assets for the core economic activity and the value of the said assets in an information sheet completed in a standard form. The financial statements and the information sheet shall be certified by a registered auditor according to the Independent Financial Audit and Assurance of Sustainability Reporting Act. The expenses on the work of the auditor shall be borne by the investor.

(4) The amount of the employment created shall be certified for the reporting period by a document from the National Revenue Agency and by other documents specified in the Regulations for Application of this Act.

Article 29. (Repealed, SG No. 37/2004, new, SG No. 16/2013) Control over the execution of priority investment projects shall be exercised by:

1. the authority designated by a Council of Ministers decision, or
2. (amended, SG No. 14/2015, SG No. 22/2022, effective 18.03.2022, SG No. 43/2025, effective 27.05.2025) the Minister of Innovation and Growth or by an official empowered thereby or by another authority providing the aid;
3. (repealed, SG No. 43/2025, effective 27.05.2025).

Article 30. (Amended, SG No. 110/1999, repealed, SG No. 37/2004, new, SG No. 16/2013, amended, SG No. 43/2025, effective 27.05.2025) Control over the execution of investment projects of municipal importance shall be exercised by the municipality mayor or by an official empowered thereby, the said execution being certified by the documents referred to in Article 28 (3) (4) herein.

Article 31. (Repealed, SG No. 37/2004, new, SG No. 43/2025, effective 27.05.2025) (1) Upon non-compliance or violation, immediately related to the receipt of State aid, with or of the provisions of Regulation (EU) No. 651/2014, of this Act, the Regulations for Application of this Act, and under contracts concluded for the provision of State aid for implementing the regional investment aid scheme and/or the training aid scheme, all amounts paid unduly and overpaid shall be reimbursable by the aid beneficiary.

(2) The resources referred to in Paragraph (1) shall be exigible as from the time of receipt of the aid with statutory interest from that date.

(3) The resources referred to in Paragraph (1) shall constitute public State receivables and shall be ascertained by the Minister of Innovation and Growth in the capacity thereof as aid administrator by means of issuing of a statement ascertaining a public receivable according to the procedure established by the Administrative Procedure Code.

(4) Receivables under statements issued under Paragraph (3) shall be subject to collection according to the procedure established by the Tax- and Social-Security Procedure Code by the National Revenue Agency authorities.

Article 32. (Amended, SG No. 110/1999, repealed, SG No. 37/2004).

## **Chapter Seven**

### **ADMINISTRATIVE PENALTY PROVISIONS**

Article 33. (Repealed, SG No. 37/2004).

Article 34. (Amended, SG No. 37/2004) (1) (Amended, SG No. 42/2007) Any official, who breaches or derelicts any obligation referred to in Item 1 of Article 20 (1) and Article 21 herein, shall be liable to a fine of BGN 500, unless the act constitutes a criminal offence.

(2) (Amended, SG No. 42/2007) Any official, who violates Article 22 (3) and Article 22d (2) herein, shall be liable to a fine of BGN 1,000, unless the act constitutes a criminal offence.

(3) Any person, who or which fails to provide information requested by the Agency in connection with the provision of services to an investment project, shall be liable to a fine or to a pecuniary penalty of BGN 200 or exceeding this amount but not exceeding BGN 2,000.

(4) Upon a repeated commission of any violation covered under Paragraphs (1) to (3), the fine or the pecuniary penalty shall be imposed in a double amount.

(5) (New, SG No. 16/2013) Any official, who breaches or derelicts any obligation referred to in Item 1 or 2 of Article 22h (3) herein, shall be liable to a fine not exceeding BGN 200, unless the act constitutes a criminal offence.

(6) (New, SG No. 43/2025, effective 27.05.2025) Any municipality mayor, who fails to fulfil the obligation thereof under Item 8 of Article 22i herein and the obligation thereof under Article 30 herein, shall be liable to a fine of BGN 1,000, and any repeated violation shall be punishable by a fine of BGN 3,000.

Article 34a. (New, SG No. 20/2024) A foreign investor under Chapter Six herein shall be liable to a fine or a pecuniary penalty amounting to the lesser of 5 per cent of the value of the investment and BGN 50,000 where:

1. the said investor provides inaccurate, incomplete or misleading information in an application for allowing a foreign direct investment;
2. the said investor implements a foreign direct investment without an authorisation granted under the terms established by this Act;
3. the said investor makes a foreign direct investment in violation of the conditions of a conditional authorisation granted under Item 2 of Article 27f (2) herein;
4. the said investor fails to comply with a measure imposed under Article 34b herein.

Article 34b. (New, SG No. 20/2024) The Interdepartmental Screening Council may, irrespective of the fine or pecuniary penalty, impose restrictive measures within the meaning given by Item 2 of Article 27f (2) herein on the foreign investor as shall be necessary to ensure security or public order, including a change of control, change and/or cessation of activity, unwinding the foreign direct investment and other appropriate measures. The said measures shall be applied after the conduct of negotiations between the investor and an empowered representative of the Interdepartmental Screening Council.

Article 35. (New, SG No. 37/2004) (1) Written statements ascertaining the commission of any violations covered under Article 34 (1), (2) and (3) herein shall be drawn up by officials designated by the Executive Director of the Agency, and penalty decrees shall be issued by the Executive Director of the Agency.

(2) (New, SG No. 16/2013) Written statements ascertaining the commission of any violations covered under Article 34 (5) herein and penalty decrees shall be drawn up according to the procedure established by the ordinance referred to in Article 22h (1) herein. The proceeds from the fines imposed shall be credited to the municipal budget.

(3) (Renumbered from Paragraph (2), SG No. 16/2013) The ascertainment of violations, the issuing, appeal against, and execution of penalty decrees shall follow the procedure established by the Administrative Violations and Sanctions Act.

## **SUPPLEMENTARY PROVISIONS**

### **(New, SG No. 37/2004)**

§ 1. (New, SG No. 37/2004) Within the meaning given by this Act:

1. "Non-resident person" shall be:

- (a) any legal person which is not registered in the Republic of Bulgaria;
- (b) any association which is not a legal person and which is registered abroad;
- (c) any natural-person foreigner with permanent residence abroad.

2. (Amended, SG No. 41/2009) "Independent appraiser" shall be a person according to the Independent Appraisers Act.
3. (Amended, SG No. 42/2007) "Individualized administrative services" shall be any activity performed by officers of the Agency or by designated officials from the administration of the territorial executive authorities, involving the submission to and receipt from the competent authorities of all documents required under the effective legislation for the implementation of a specific investment.
4. "Repeated violation" shall be a violation committed within one year after the penalty decree whereby the offender was penalised for a violation of the same type became enforceable.
5. (Amended, SG No. 42/2007) "Provision of information services" shall be provision by the Agency of oral and written information to a person interested in investing and wishing to be informed of the investment climate or to obtain information regarding potential partners in Bulgaria, as well as regarding all administrative procedures for the implementation of the investment.
6. (Repealed, SG No. 41/2009).
7. (New, SG No. 42/2007, amended, SG No. 43/2025, effective 27.05.2025) "Establishment" shall be an economically indivisible set of fixed assets which are interconnected physically and/or functionally for the production of a specific product or products.
8. (New, SG No. 42/2007, amended, SG No. 41/2009, SG No. 32/2015) "Start of works on an investment project" shall be the earlier of either the start of construction works relating to the investment, or the first legally binding commitment to order equipment or any other commitment that makes the investment irreversible. Buying land and preparatory works such as obtaining permits and conducting feasibility studies shall not be considered start of work.
9. (New, SG No. 42/2007, repealed, SG No. 41/2009).
10. (New, SG No. 42/2007, amended, SG No. 41/2009, SG No. 43/2025, effective 27.05.2025) "Economically disadvantaged regions" shall be municipalities where the rate of unemployment is above the national average.
  - (a) municipalities where the rate of unemployment is above the national average, or
  - (b) administrative regions where the gross value added per capita is below the national average.
11. (New, SG No. 42/2007, amended, SG No. 41/2009) "High-technology activities" shall be the activities defined by Eurostat under the Statistical Classification of Economic Activities in the European Community (NACE) and, respectively, the direct application thereof in the Republic of Bulgaria through the Classification of Economic Activities, specified in the Regulations for Application of this Act, such as:
  - (a) "high-technology" economic activities in the manufacturing industry (High Tech manufacturing Industries);
  - (b) services defined as "knowledge-intensive services" (KIS) and "high-technology knowledge-intensive services (High-tech KIS)".
12. (New, SG No. 42/2007, amended, SG No. 41/2009, SG No. 44/2019, SG No. 21/2021) "Industrial park" means an industrial park entered in the register referred to in Article 21 (1) of the Industrial Park Act.
13. (New, SG No. 42/2007, amended, SG No. 41/2009, repealed, SG No. 21/2021).
14. (New, SG No. 41/2009) "Force majeure" shall be circumstances of an extraordinary nature which the investor, while exercising due care, was unable or was not obligated to foresee or to avoid, including the financial and economic crisis for the effective period of the Communication from the Commission - Temporary Community Framework for State aid measures to support access to finance in the current financial and economic crisis (OJ, C 16/1 of 22 January 2009).
15. (New, SG No. 41/2009, amended, SG No. 32/2015) "Aid scheme", "individual aid", "regional investment aid", "training aid", "investment", "tangible and intangible assets", "large investment project", "eligible costs", "jobs", "employment", "employment directly created by an investment project", "small and medium-sized enterprises" and "large enterprise" shall be notions within the meaning given by Regulation (EU) No. 651/2014.

16. (New, SG No. 16/2013) "Average number of employees on payroll" shall be the employment created and maintained for the respective financial year, determined according to the methodology for calculation of the number of employees on payroll and the average number of employees on payroll of the National Statistical Institute and covered in the annual activity report according to the procedure established by the Statistics Act, the Corporate Income Tax Act and the Income Taxes on Natural Persons Act.

17. (New, SG No. 20/2018, effective 6.03.2018, amended, SG No. 43/2025, effective 27.05.2025) "Physical-infrastructure elements" applicable to:

(a) Class A, Class B and priority investment projects shall be the elements referred to in Items 1, 2 and 3 of Article 64 (1) of the Spatial Development Act;

(b) priority projects referred to in Article 22f herein in the manufacturing industry, high-technology services or for the establishment of an industrial park or an industrial zone or technology park shall be the distribution lines and distribution devices and the facilities thereto appertaining: transformer stations, electricity-supply substations, step-down and distribution stations.

18. (New, SG No. 20/2024) "Strategic installations relevant to national security" shall be those listed in Council of Ministers Decision No. 181 of 20 July 2009 Designating the Strategic Installations and Activities that Are Relevant to National Security (promulgated in the State Gazette No. 59 of 2009; amended in Nos. 71 and 77 of 2011, No. 67 of 2012, Nos. 5 and 21 of 2013, No. 107 of 2014, Nos. 28 and 57 of 2015, Nos. 22, 27 and 51 of 2016, No. 86 of 2017, Nos. 9 and 81 of 2019, Nos. 33 and 87 of 2021, Nos. 41, 47, 83 and 97 of 2022 and No. 100 of 2023).

19. (New, SG No. 43/2025, effective 27.05.2025) "Industrial zone" shall be a single or a set of two or more adjoining lots located in spatial-development areas for which a spatial-development plan has determined an assigned use for manufacturing activities.

20. (New, SG No. 43/2025, effective 27.05.2025) "Technology park" shall be a single or a set of two or more adjoining lots with a prevailing scientific-research and development activity and/or education, and/or information technologies, and for innovative activities for technological renovation of manufacturing products and technologies. Complementary investment activities in the manufacturing industry or in another production sector shall be admissible.

21. (New, SG No. 43/2025, effective 27.05.2025) "Private participating interest in the capital" shall be a participating interest in the capital by a legal person which is not wholly owned by the State and/or a municipality, and/or a wholly State- or municipal-owned public enterprise.

§ 1a. (New, SG No. 44/2019, repealed, SG No. 21/2021, new, SG No. 20/2024) Within the meaning given by Chapter Six of this Act:

1. "Foreign investor" shall be:

(a) a person who is not a citizen of a Member State of the European Union or whose registered office is not located in a Member State, having made or intending to make a foreign direct investment in Bulgaria;

(b) a legal person whose statutory seat is in a Member State of the European Union, having made or intending to make a foreign direct investment in Bulgaria, wherein the control is exercised, directly or indirectly, by: one or more natural persons who are not citizens of a Member State of the European Union, one or more legal persons whose registered offices are not in a Member State of the European Union, or another legal entity organised according to the laws of a country not member of the European Union;

(c) a legal person or another legal entity whose statutory seat is in a Member State of the European Union, having made or intending to make a foreign direct investment in Bulgaria, wherein, by virtue of a contract or internal rules, one or more natural or legal persons established in countries outside the European Union exercise direct or indirect control over the particular investment, or which, by virtue of a contract or multilateral transaction, makes a foreign direct investment falling within the scope of this Act, on its own behalf but for the account of a person referred to in Litterae (a) and (b).

2. "Foreign direct investment" shall be an investment of any kind by a foreign investor aiming to establish or to maintain lasting and direct links between the foreign investor and the entrepreneur whereto or the enterprise whereto the capital is made available in order to carry on an economic activity in Bulgaria, including investments which enable effective participation in the management or control of a company carrying out an economic activity. Foreign direct investment shall furthermore be the expansion of an existing investment, including an expansion of the capacity of an existing enterprise, the diversification of the production of an enterprise into products that have not been produced theretofore, as well as the setting up of a new place for carrying out the activity or increasing the capital of the investee subject to the condition that the shares are acquired by the foreign investor. A portfolio (passive) investment shall not be foreign direct investment.

3. "Screening" shall be proceedings allowing to assess, investigate, authorise, condition, prohibit or unwind foreign direct investments.

4. "Control" shall be have the meaning assigned to that notion by § 1c of the Supplementary Provisions of the Commerce Act.

5. "New investment" shall be an initial investment in tangible and intangible assets that are associated with the activity of a new enterprise, the expansion of the capacity of an existing enterprise, the diversification of the production of an enterprise into products that have not been produced theretofore, or a fundamental change in the overall production process of an existing enterprise.

6. "Foreign investor from Russia or the Republic of Belarus" shall be:

(a) a natural person who is a citizen of Russia or the Republic of Belarus;

(b) a legal person whose registered office is located in Russia or the Republic of Belarus, having made or intending to make a foreign direct investment in Bulgaria;

(c) a legal person whose statutory seat is in a country other than Russia and the Republic of Belarus, having made or intending to make a foreign direct investment in Bulgaria, wherein 25 per cent or more of the ownership is held by one or more natural persons who are citizens of Russia or the Republic of Belarus, one or more legal persons whose registered office is in Russia or the Republic of Belarus, or by another legal entity organised according to the legislation of Russia or Belarus.

§ 2. (New, SG No. 37/2004, amended, SG No. 42/2007, repealed, SG No. 41/2009).

## **TRANSITIONAL AND FINAL PROVISIONS**

§ 3. (Renumbered from § 1, SG No. 37/2004) This Act shall supersede the Encouragement and Protection of Foreign Investments Act (promulgated in the State Gazette No. 8 of 1992; amended in Nos. 92 and 102 of 1995, No. 109 of 1996; corrected in No. 110 of 1996; amended in Nos. 55 and 58 of 1997).

§ 4. (Renumbered from § 2, SG No. 37/2004) The Statistics Act (promulgated in the State Gazette No. 25 of 1991; amended and supplemented in No. 64 of 1991 and No. 60 of 1992) shall be amended as follows:

1. In Article 21 the words "five hundred to one thousand" shall be replaced by "80,000 to 600,000."

2. In Article 22 the words "one thousand to one thousand and five hundred" shall be replaced by "600,000 to 2,000,000."

3. In Article 23 the words "one thousand to two thousand" shall be replaced by "1,000,000 to 2,000,000."

4. In Article 24 the worlds "five thousand to ten thousand" shall be replaced by "1,000,000 to 3,000,000."

§ 5. (Renumbered from § 3, SG No. 37/2004) Within two months after the entry of this Act into force, the National Statistical Institute shall develop a methodology for generation of statistical information on foreign investments in conformity with international standards.

§ 6. (Renumbered from § 4, SG No. 37/2004) Any corporation wherein a non-resident person holds an interest, which has effected import under the terms established by Article 15a of the Encouragement and Protection of Foreign Investments Act as indicated in § 1 herein, shall present to the customs authorities a judgment of court on inclusion of the non-cash asset into the capital of the corporation within six months after the entry of this Act into force.

§ 7. (New, SG No. 29/1998, renumbered from § 4a, SG No. 37/2004) In any instances other than such covered under the foregoing Clause, Articles 14, 15 and 17 herein shall not apply to any goods which have been placed under the temporary importation procedure.

§ 8. (Renumbered from § 5, SG No. 37/2004) Where tax reliefs are enjoyed under other laws, the provision of Article 20 herein shall apply during the remainder of the ten-year period.

§ 9. (Renumbered from § 6, SG No. 37/2004) Within two months after the entry of this Act into force, the Council of Ministers shall adopt Rules of organisation and Operation of the Bulgarian Foreign Investment Agency.

§ 10. (Renumbered from § 7, SG No. 37/2004, repealed, SG No. 32/2015).

§ 11. (Renumbered from § 8, SG No. 37/2004, amended, SG No. 42/2007) The implementation of this Act shall be entrusted to the Council of Ministers.

§ 12. (Renumbered from § 9, SG No. 37/2004) This Act shall enter into force as from the day of promulgation thereof in the State Gazette.



#### TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Foreign Investments Act  
(SG No. 37/2004, effective 4.08.2004)

§ 26. (1) The InvestBulgaria Agency shall be a successor in title to the Bulgarian Foreign Investment Agency.

(2) Within one month after the entry of this Act into force, the Minister of Economy, Energy and Tourism shall lay before the Council of Ministers a draft of a decree to amend the Rules of organisation of the Bulgarian Foreign Investment Agency.

§ 27. (Effective 4.05.2004) (1) Within one month after the entry of this Act into force, the heads of all administrations shall appoint or shall assign functions to one or more persons in the relevant administration to interact with the officers of the Agency and to assist the investors or authorized representatives thereof who or which have been awarded an investment class certificate, and shall notify the InvestBulgaria Agency of the persons so designated.

(2) The Executive Director of the InvestBulgaria Agency shall designate officers of the Agency to provide individualized administrative services to investors and, within two months after the entry of this Act into force, shall submit a list of the names of the persons referred to in Paragraph (1) to the Minister of Economy, Energy and Tourism.

§ 28. (Effective 4.05.2004) Within three months after the promulgation of this Act in the State Gazette, the Council of Ministers shall adopt Regulations for Application of this Act.

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(\* )ACT to Amend the Commercial Register Act  
(SG No. 80/2006, effective 3.10.2006)

§ 1. In § 56 of the Transitional and Final Provisions, the words "1 October 2006" shall be replaced by "1 July 2007".

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## TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Investment Promotion Act  
(SG No. 42/2007, effective 30.08.2007, amended and supplemented, SG No. 41/2009)

§ 34. In the Act, after the words "the Minister of Economy" there shall be added passim "and Energy".

§ 35. (1) Any investment plans which have been awarded an investment class certificate according to the hitherto effective procedure shall be promoted until implementation of the investment for a period not longer than three years, reckoned from the date of issuing of the certificate.

(2) (Amended, SG No. 41/2009) The first class investment plans referred to in Paragraph (1) may be promoted according to the hitherto effective procedure established by Article 20 [of the Investment Promotion Act] as amended by this Act if they fulfil the following conditions:

1. the investor has submitted an application to the Minister of Economy, Energy and Tourism for enjoyment of the measure within three months after the entry into force of this Act;
2. (amended, SG No. 41/2009) the conditions of Regulation (EC) No. 800/2008 with regard to the regional aid scheme under Article 22b [of the Investment Promotion Act] for the granting of aid for construction of physical-infrastructure elements on resources from the executive budget are fulfilled;
3. (supplemented, SG No. 41/2009) an approval has been received from the European Commission for the compatibility of the planned State aid according to the procedure established by the State Aids Act for the granting of individual aid for construction of physical-infrastructure elements on resources from the executive budget.

(3) The first class investment plans referred to in Paragraph (1) shall be promoted according to the hitherto effective procedure established by Article 18 [of the Investment Promotion Act] as amended by this Act according to the effective State aids legislation.

§ 36. The scope of economic activities referred to in Item 2 of Article 12 (2) [of the Investment Promotion Act] and the products manufactured as a result of the implementation of investments in such activities shall be determined by the Regulations for Application of the [Investment Promotion] Act according to the classification of the National Statistical Institute in accordance with the Statistics Act.

§ 37. Any applications for the issuing of an investment class certificate, which have been received prior to the entry of this Act into force, shall be considered according to the hitherto effective procedure.

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§ 39. This Act shall enter into force three months after the promulgation thereof in the State Gazette.

(\*\*) ACT to Amend the Commercial Register Act  
(SG No. 53/2007, effective 30.06.2007)

§ 1. In § 56 of the Transitional and Final Provisions, the words "1 July 2007" shall be replaced by "1 January 2008".

## TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Investment Promotion Act  
(SG No. 41/2009)

§ 22. Any investment projects, which have been awarded a Class A or Class B investment certificate according to the hitherto effective procedure, shall be promoted according to the procedure established by this Act provided that the conditions of Regulation (EC) No. 800/2008 are fulfilled.

§ 23. Temporary measures for State aids compatible with the common market in pursuance of Article 88 (3) (b) of the Treaty Establishing the European Community may be applied until the 31st day of December 2010, provided that the Commission is notified and that all conditions according to Communication from the Commission - Temporary Community Framework for State aid measures to support access to finance in the current financial and economic crisis (OJ, C 16/1 of 22 January 2009) are fulfilled.

§ 24. (1) The provisions of Commission Regulation (EC) No. 1628/2006 of 24 October 2006 on the application of Articles 87 and 88 of the Treaty to national regional investment aid shall apply until the entry of this Act into force, and Commission Regulation (EC) No. 68/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to training aid shall be in force until the 31st day of December 2008.

(2) Aid granted before the 31st day of December 2008, with regard to which the conditions set out in the Regulations referred to in Paragraph (1) are fulfilled, shall be compatible with the common market and shall be exempt from the notification requirements of Article 88 (3) of the Treaty Establishing the European Community.

§ 25. After the entry into force of the training aid scheme and the regional investment aid scheme, a summary of the information regarding such aid measure shall be prepared according to Article 9 (1) of Regulation (EC) No. 800/2008 in electronic form for the purpose of informing the European Commission via the developed SANI system.

§ 26. Within five months after the entry of this Act into force, the Council of Ministers shall bring into conformity therewith the instruments of secondary legislation on the application thereof.

#### TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Tourism Act  
(SG No. 82/2009, effective 16.10.2009)

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§ 37. In the Investment Promotion Act (promulgated in the State Gazette No. 97 of 1997; corrected in No. 99 of 1997; amended in Nos. 29 and 153 of 1998, No. 110 of 1999, No. 28 of 2002, No. 37 of 2004; corrected in No. 40 of 2004; amended in Nos. 34, 59, 65, 80, 82 and 86 of 2006, Nos. 42 and 53 of 2007, No. 69 of 2008 and No. 41 of 2009), the words "the Minister of Economy and Energy" and "the Ministry of Economy and Energy" shall be replaced passim by "the Minister of Economy, Energy and Tourism" and "the Ministry of Economy, Energy and Tourism", respectively.

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#### TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Ministry of Interior Act  
(SG No. 88/2010, effective 9.11.2010)

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§ 108. In the Investment Promotion Act (promulgated in the State Gazette No. 97 of 1997; corrected in No. 99 of 1997; amended in Nos. 29 and 153 of 1998, No. 110 of 1999, No. 28 of 2002, No. 37 of 2004; corrected in No. 40 of 2004; amended in Nos. 34, 59, 65, 80, 82 and 86 of 2006, No. 42 of 2007, No. 69 of 2008 and Nos. 41 and 82 of 2009 and No. 18 of 2010), in Article 21 (5), the words "the fire safety and rescue authorities" shall be replaced by "the fire safety and population protection authorities".

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§ 117. This Act shall enter into force as from the day of promulgation thereof in the State Gazette, with the exception of § 1 to 23, § 25, § 27 to 30, § 32 to 34, § 40, § 41, § 43 to 55, § 63 to 89 and § 91 to 114 herein, which shall enter into force as from the 1st day of January 2011.

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TRANSITIONAL AND FINAL PROVISIONS  
to the Act to Amend and Supplement the Civil Servants Act  
(SG No. 38/2012, effective 1.07.2012)  
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§ 84. (Effective 18.05.2012) Within one month after the promulgation of this Act in the State Gazette:

1. the Council of Ministers shall bring the Classifier of Positions in the Administration into conformity with this Act;
2. the competent authorities shall bring the organic acts of the respective administration into conformity with this Act.

§ 85. (1) The legal relationships with the persons of the administrations under the Radio and Television Act, the Independent Financial Audit Act, the Electronic Communications Act, the Financial Supervision Commission Act, the Access to and Disclosure of the Documents and Announcing the Affiliation of Bulgarian Citizens with the State Security Service and the Intelligence Services of the Bulgarian Popular Army Act, the Criminal Assets Forfeiture Act, the Conflict of Interest Prevention and Ascertainment Act, the Social Insurance Code, the Health Insurance Act, the Agricultural Producers Support Act and the Roads Act shall be settled under the terms established by § 36 of the Transitional and Final Provisions of the Act to Amend and Supplement the Civil Servants Act (State Gazette No. 24 of 2006).

(2) The act on appointment of the civil servant shall:

1. award the lowest rank designated in the Classifier of Positions in the Administration for occupation of the position, unless the servant holds a higher rank;
2. fix an individual monthly basic salary.

(3) The additional resources required for social and health insurance contributions of the persons referred to in Paragraph (2) shall be provided within the limits of the expenditures on salaries, remunerations and compulsory social and health insurance contributions under the budgets of the spending units concerned.

(4) The Council of Ministers shall effect the requisite modifications under the off-budget account of State Fund Agriculture arising from this Act.

(5) The governing bodies of the National Social Security Institute and of the National Health Insurance Fund shall effect the requisite modifications under the respective budgets arising from this Act.

(6) Any unused leaves under the employment relationships shall be retained and shall not be compensated by cash compensations.

§ 86. (1) Within one month after the entry into force of this Act, the individual monthly basic salary of the servant shall be fixed in such a way that the said salary, net of the tax due and the compulsory social and health insurance contributions for the account of the insured person, if they were due, would not be lower than the gross monthly salary received theretofore, net of the compulsory social and health insurance contributions for the account of the insured person, if they were due, and the tax due.

(2) The gross salary referred to in Paragraph (1) shall include:

1. the monthly basic salary or the monthly basic remuneration;
2. supplementary remunerations which are paid constantly together with the monthly basic salary or monthly basic remuneration due and which are contingent solely on the time worked.

§ 87. This Act shall enter into force as from the 1st day of July 2012 with the exception of § 84 herein, which shall enter into force as from the day of promulgation of the Act in the State Gazette.

TRANSITIONAL AND FINAL PROVISIONS

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to the Act on Public-Private Partnership  
(SG No. 45/2012, effective 1.01.2013)

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§ 5. (Effective 1.09.2012 - SG No. 45/2012) The Act on Investment Promotion Act (promulgated, SG No. 97/1997, corr. No. 99/1997, amended, SG No. 29, SG No. 153/1998, SG No. 110/1999, SG No. 28/2002, SG No. 37/2004, corr. No. 40/2004, SG No. 34, 59, 65, 80, 82 and 86/2006, SG No. 42 and 53/2007, SG No. 69/2008, SG No. 41 and 82/2009, SG No. 18, 88 and 100/2010, SG No. 38/2012) in Article 13a paragraph 2 shall be amended as follows:

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§ 16. This Act shall enter into force on January 1, 2013, with the exception of § 4, § 5, § 7, § 8, § 9, § 10 and § 13 which come into force on September 1, 2012.

**TRANSITIONAL AND FINAL PROVISIONS**

to the Act to Amend and Supplement the Investment Promotion Act  
(SG No. 16/2013)

§ 28. The provisions of Item 5 (d) of Article 12 and Article 22e [of the Investment Promotion Act] shall not apply to any investment projects which have been certified and applied for certification prior to the entry of this Act into force.

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**TRANSITIONAL AND FINAL PROVISIONS**

to the Act on Amendment and Supplement of Spatial Development Act  
(SG No. 66/2013, effective 26.07.2013)

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§ 72. The Investment Promotion Act (promulgated, SG No. 97/1997, amended, SG No. 99/1997, SG No. 29 and 153/1998, SG No. 110/1999, SG No. 28/2002, SG No. 37/2004, SG No. 40/2004, amended, SG No. 34, 59, 65, 80, 82 and 86/2006, SG No. 42 and 53/2007, SG No. 69/2008, SG No. 41 and 82/2009, SG No. 18, 88 and 100/2010, SG No. 38, 45 and 82/2012, SG No. 15 and 16/2013) everywhere the words "the Minister of Regional Development and Public Works" is replaced with "Minister of Regional Development."

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**TRANSITIONAL AND FINAL PROVISIONS**

to the Act to Amend and Supplement the Spatial Development Act  
(SG No. 98/2014, effective 28.11.2014)

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§ 72. In the Investment Promotion Act (promulgated in the State Gazette No. 97 of 1997; corrected in No. 99 of 1997; amended in Nos. 29 and 153 of 1998, No. 110 of 1999, No. 28 of 2002, No. 37 of 2004; corrected in No. 40 of 2004; amended in Nos. 34, 59, 65, 80, 82 and 86 of 2006, Nos. 42 and 53 of 2007, No. 69 of 2008 and Nos. 41 and 82 of 2009 and Nos. 18, 88 and 100 of 2010, Nos. 38, 45 and 82 of 2012, Nos. 15, 16 and 66 of 2013) everywhere in the text the words "Minister of Regional Development" shall be replaced by "Minister of Regional Development and Public Works".

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**TRANSITIONAL AND CONCLUDING PROVISIONS**

to the Act to Amend the Act on the Prohibition of Chemical Weapons  
and on Control of Toxic Chemicals and the Precursors thereof  
(SG No. 14/2015)

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§ 27. Everywhere in the Investment Promotion Act (promulgated in the State Gazette, No. 97/1997; corrected in No. 99 of 1997; amended in Nos. 29 and 153 of 1998, No. 110 of 1999, No. 28 of 2002, No. 37 of 2004; corrected in No. 40 of 2004; amended in Nos. 34, 59, 65, 80, 82 and 86 of 2006, Nos. 42 and 53 of 2007, No. 69 of 2008 and Nos. 41 and 82 of 2009 and Nos. 18, 88 and 100 of 2010, Nos. 38, 45 and 82 of 2012, Nos. 15, 16 and 66 of 2013 and No. 98/2014), the words "the Ministry of Economy, Energy and Tourism" and "Minister of Economy, Energy and Tourism" shall be replaced respectively with "the Ministry of Economy" and "Minister of Economy".

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#### TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Investment Promotion Act  
(SG No. 32/2015)

§ 11. (1) The Regulations for Application of the [Investment Promotion Act] shall be brought into conformity with this Act and with Regulation (EU) No. 651/2014 within three months from the entry into force of this Act.

(2) The regional investment aid scheme and the training aid scheme shall enter into force simultaneously with the entry into force of the amendments to the Regulations under Paragraph (1).

(3) The Ministry of Economy shall prepare summary information about the schemes, which the said Ministry shall transmit to the European Commission according to the procedure and within the time limits provided for in Article 9 of the State Aids Act and Article 11 (a) of Regulation (EU) No. 651/2014.

§ 12. The regional investment aid scheme and the training aid scheme shall apply to investment projects and training projects works on which have not started prior to the entry into force of the schemes.

#### TRANSITIONAL AND CONDLUCING PROVISIONS

to the Act to Amend and Supplement the Investment Promotion Act  
(SG No. 20/2018, effective 6.03.2018)

§ 6. The Regulations for Application of the [Investment Promotion Act] shall be brought into conformity with this Act and with Regulation (EU) No. 651/2014 within two months from the entry into force of this Act.

§ 7. The regional investment aid scheme and the training aid scheme exempted from the notification requirement under Regulation (EU) No. 651/2014 shall not apply from 10 January 2018 until the regulation for implementation of the Act is brought in accordance with Regulation (EU) No. 651/2014.

§ 8. The amended regional investment aid scheme and training aid scheme shall apply to investment projects and training projects, for which a certificate has been issued in accordance with the procedure established by the Act prior to the entry into force of the amended schemes, provided that the projects satisfy all conditions set out in the schemes.

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#### TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the State Property Act  
(SG No. 44/2019)

.....

§ 9. Any proceedings for condemnation of properties – private property that have been initiated shall be completed in accordance with the new procedure.

#### ACT

to Amend and Supplement the Investment Promotion Act  
(SG No. 22/2022, effective 18.03.2022)

.....  
§ 4. In the rest of the Act, the words "the Minister of Economy" and "the Ministry of Economy" shall be replaced by "the Minister of Innovation and Growth" and "the Ministry of Innovation and Growth", respectively.  
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#### TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Investment Promotion Act  
(SG No. 20/2024)

§ 10. An application under Article 27a [of the Investment Promotion Act] shall not be submitted in respect of any foreign direct investment whereof the implementation has commenced after the entry into force of this Act and before the Regulations for Application of this Act have been brought into conformity therewith and Rules of Organisation and Operation of the Interdepartmental Screening Council have been adopted.

§ 11. Within six months after the entry into force of this Act, the Council of Ministers shall bring the Regulations for Application of the [Investment Promotion] Act into conformity with this Act and with Regulation (EU) 2019/452.

§ 12. Within six months after the entry into force of this Act, the Council of Ministers shall adopt Rules of Organisation and Operation of the Interdepartmental Screening Council.

#### TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Investment Promotion Act  
(SG No. 43/2025, effective 27.05.2025)

§ 31. Any amounts paid unduly and overpaid under all contracts effective upon the entry into force of this Act for the provision of State aid for implementing the regional investment aid scheme and/or the training aid scheme, in respect of which any non-compliance or violation, immediately related to the receipt of State aid, with or of the provisions of Regulation (EU) No. 651/2014, of this Act, the Regulations for Application of this Act and of the contracts themselves has been ascertained, shall be ascertained and collected according to the procedure established by Article 31 [of the Investment Promotion Act].

§ 32. Within four months after the entry into force of this Act, the Council of Ministers, acting on a proposal by the Minister of Innovation and Growth, shall bring the Regulations for Application of the Act into conformity with this Act and with Regulation (EU) No. 651/2014.

§ 33. Within six months after the entry into force of this Act, the Minister of Economy and Industry and the Minister of Innovation and Growth shall issue a joint order establishing a mechanism for the pursuit of cooperation and coordination between the Bulgarian Small and Medium Enterprises Promotion Agency and the InvestBulgaria Agency with the commercial and the economic sections [of the Bulgarian embassies] abroad.

§ 34. (1) The regional investment aid scheme and the training aid scheme, which are exempt from the notification requirement under Regulation (EU) No. 651/2014, shall not apply until the adoption of the amendments to the Regulations for Application of the Act under § 32 herein.

(2) Until the adoption of the amendments to the Regulations under Paragraph (1) and until the approval of a regional investment aid scheme, the Minister of Innovation and Growth may approach the Council of Ministers with a proposal to approve draft contracts for the application of State aid under Article 22e [of the Investment Promotion Act] as a financial promotion measure, containing a suspensive condition with regard to the entry into effect of the said contracts.

(3) The Council of Ministers may approve the draft contracts referred to in Paragraph (2), which shall enter into effect after the promulgation of the amendments to the Regulations under Paragraph (1) and subject to the availability of an effective regional investment aid scheme.

(4) The contracts referred to in Paragraph (2) shall be concluded solely with investors with certified investment projects envisaging the financial promotion measure under Article 22e [of the Investment Promotion Act] and where the proceedings for the application of the said measure have commenced by the submission of a request for the application thereof prior to the entry into force of this Act.

§ 35. With regard to any investment projects which are certified and whereunder promotion measures under Item 1 of Article 22a (10) [of the Investment Promotion Act] have been applied for prior to the entry into force of this Act, Article 22a (13) [of the Investment Promotion Act] shall apply in the version effective prior to the entry into force of this Act.