

# Regulations for Application of the Investment Promotion Act

Adopted by Council of Ministers Decree No. 221/13.09.2007, promulgated, State Gazette No. 76/21.09.2007, effective 21.09.2007, amended and supplemented, SG No. 20/17.03.2009, effective 17.03.2009, amended, SG No. 93/24.11.2009, effective 24.11.2009, amended and supplemented, SG No. 62/10.08.2010, effective 10.08.2010, SG No. 24/12.03.2013, effective 12.03.2013, amended, SG No. 62/12.07.2013, effective 3.07.2013, amended and supplemented, SG No. 2/7.01.2014, SG No. 36/25.04.2014, effective 25.04.2014, supplemented, SG No. 94/14.11.2014, effective 14.11.2014, amended, SG No. 40/2.06.2015, amended and supplemented, SG No. 88/13.11.2015, effective 13.11.2015, amended, SG No. 86/27.10.2017, effective 27.10.2017, amended and supplemented, SG No. 41/18.05.2018, effective 18.05.2018, amended, SG No. 70/24.08.2018, amended and supplemented, SG No. 83/22.10.2019, effective 22.10.2019, SG No. 95/6.11.2020, effective 6.11.2020, amended, SG No. 24/23.03.2021, effective 23.03.2021, SG No. 43/10.06.2022, effective 10.06.2022, amended and supplemented, SG No. 82/14.10.2022, effective 14.10.2022, SG No. 59/22.07.2025, effective 22.07.2025, SG No. 80/30.09.2025, effective 30.09.2025

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## Chapter One

**(Effective until 30.06.2014, SG No. 20/2009 - amended, SG No. 2/2014)**

### GENERAL DISPOSITIONS

Article 1. (1) (Previous text of Article 1, SG No. 20/2009, effective 17.03.2009, amended, SG No. 24/2013, effective 12.03.2013, supplemented, SG No. 59/2025, effective 22.07.2025) These Regulations prescribe the terms and procedure for application of the Investment Promotion Act (IPA) regarding the promotion of investments in tangible and intangible fixed assets and the creation of new jobs as a result of such investments, the activities of State bodies in the field of investment promotion, as well as the protection of investments. These Regulations furthermore prescribe the terms and procedure whereunder the screening of foreign direct investments takes place, the activities of the State bodies in this area, and the activity of the Interagency Council on Screening of Foreign Direct Investment, hereinafter referred to as "Interagency Screening Council".

(2) (New, SG No. 20/2009, effective 17.03.2009, amended, SG No. 88/2015, effective 13.11.2015, SG No. 41/2018, effective 18.05.2018, SG No. 95/2020, effective 6.11.2020, SG No. 82/2022, effective 14.10.2022, SG No. 80/2025, effective 30.09.2025) Promotion by measures under the IPA which constitute State aid or de minimis aid shall be extended to investments in compliance with the requirements 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 of 1 June 2014), hereinafter referred to as "Regulation (EU) No. 651/2014", and in the case of Article 37 herein, of Commission Regulation (EU) 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 2831 of 15 December 2023), hereinafter referred to as "Regulation (EU) No. 2023/2831", and the conditions for notification of State aid under Article 108(3) of the Treaty on the Functioning of the European Union.

(3) (New, SG No. 59/2025, effective 22.07.2025) The screening of foreign direct investments shall take place and the functions of the Interagency Screening Council shall be performed 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. 20/2009, effective 17.03.2009) (1) (Amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013, SG No. 88/2015, effective 13.11.2015, SG No. 95/2020, effective 6.11.2020) Promotion shall be extended according to the procedure established by these Regulations through aids granted under a multi-sectoral regional investment aid scheme and a training aid scheme in investments in the eligible economic activities under Paragraph (2) that comply with all requirements of Regulation (EU) No. 651/2014.

(2) (Amended, SG No. 62/2010, SG No. 95/2020, effective 6.11.2020, SG No. 59/2025, effective 22.07.2025) Promotion shall be extended according to the procedure established by these Regulations to investments in economic activities identified according to the NACE Rev. 2.1 Statistical classification of economic activities in the European Community and the direct application thereof in the Republic of Bulgaria through the Classification of Economic Activities, hereinafter referred to as "KID 2025", by the relevant codes:

1. (amended, SG No. 62/2010, SG No. 88/2015, effective 13.11.2015, SG No. 82/2022, effective 14.10.2022) of the industrial sector for Class A or Class B investments: manufacturing (Code C 10-33.2), except for the economic activities under Chapter I, Article 1(3)(a) to (d) and Chapter III, Article 13(a) to (c) of Regulation (EU) No. 651/2014, as described in Paragraph (5) and under the terms established by Paragraphs (6) and (7);

2. (amended, SG No. 62/2010) of the services sector for Class A or Class B investments:

(a) (amended, SG No. 24/2013, effective 12.03.2013, SG No. 59/2025, effective 22.07.2025) software publishing (Code J 58.2); computer programming, consultancy and related activities (Code K 62); computing infrastructure, data processing, hosting and other information service activities (Code K 63);

(b) (amended, SG No. 24/2013, effective 12.03.2013, SG No. 59/2025, effective 22.07.2025) accounting, bookkeeping and auditing activities; tax consultancy (Code N 69.2);

(c) (amended, SG No. 24/2013, effective 12.03.2013, SG No. 59/2025, effective 22.07.2025, SG No. 80/2025, effective 30.09.2025) architectural and engineering activities; technical testing and analysis (Code N 71); scientific research and development (Code N 72);

(d) (amended, SG No. 24/2013, effective 12.03.2013, SG No. 59/2025, effective 22.07.2025) education (code Q 85);

(e) (amended, SG No. 24/2013, effective 12.03.2013, SG No. 59/2025, effective 22.07.2025) human health activities and residential care activities (Codes R 86 and R 87);

(f) (new, SG No. 24/2013, effective 12.03.2013, amended, SG No. 88/2015, effective 13.11.2015) warehousing and storage (Code H 52.1);

(g) (new, SG No. 24/2013, effective 12.03.2013, amended, SG No. 59/2025, effective 22.07.2025, repealed, SG No. 80/2025, effective 30.09.2025);

3. (new, SG No. 62/2010, amended, SG No. 88/2015, effective 13.11.2015, SG No. 95/2020, effective 6.11.2020) all economic activities for the priority investment projects except for the activities referred to in Paragraph (5).

(3) (Amended, SG No. 88/2015, effective 13.11.2015. SG No. 95/2020, effective 6.11.2020) The classification of economic activities under Paragraph (2) in which the investment is implemented shall be determined on the basis of the products (goods and services) planned to be produced corresponding to the economic activity, the revenue from which products must be at least 80 per cent of the future total revenue resulting from the investment project being implemented within the period for maintenance of the investment.

(4) (Amended, SG No. 88/2015, effective 13.11.2015) The products referred to in Paragraph (3) shall be identified according to the effective European Classification of Products by Activity (CPA) (with nomenclature PRODCOM/NACE or nomenclature CPA for projects in the services sector), respectively, according to its direct application in the Republic of Bulgaria through the Classification of Products by Economic Activity, hereinafter referred to as "CPEA 2015".

(5) (Amended, SG No. 88/2015, effective 13.11.2015, SG No. 70/2018, SG No. 95/2020, effective 6.11.2020, SG No. 59/2025, effective 22.07.2025, SG No. 80/2025, effective 30.09.2025) No promotion shall be extended to any investments under Items 2 and 3 of Article 13a of the IPA and in the sectors referred to in Article 1(3)(a) to (d) and Article 13(a) to (c) of Regulation (EU) No. 651/2014:

1. in the fishery and aquaculture sector, as covered by Regulation (EU) No. 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No. 1184/2006 and No 1224/2009 and repealing Council Regulation (EC) No. 104/2000 (OJ L 354 of 28 December 2013);
2. in primary agricultural production and marketing of agricultural products;
3. in the steel sector, the lignite sector and the coal sector;
4. in the transport sector and the related infrastructure;
5. in energy generation, storage, transmission, distribution and infrastructure;
6. in the broadband sector;
7. in the closure of uncompetitive coal mines in accordance with Council Decision 2010/787/EU (OJ L 336 of 21 December 2010);
8. for the performance of concession contracts for a concession for use under the Concessions Act, for a natural resources extraction concession under the Concessions Act as repealed or for a subsurface resources extraction concession under the Subsurface Resources Act, including mining and quarrying activities under Section B of NACE Rev. 2.1;
9. for the performance of privatisation contracts under the Privatization and Post-Privatization Control Act;
10. performance of industrial cooperation agreements or offset arrangements.

(6) (Amended, SG No. 88/2015, effective 13.11.2015) Investments in activities in the processing of agricultural products shall be promoted and aid shall be granted subject to further compliance with the following conditions:

1. when the amount of the aid is not fixed on the basis of the price or quantity of such products which are purchased from primary producers or marketed by the undertakings concerned, and
2. when the aid is not conditional on the obligation for being partly or entirely passed on to primary producers, and
3. no aid shall be granted where the investor is a beneficiary of aid under programmes and measures administered by the State Agriculture Fund for the same eligible costs, as coordinated with the Fund.

(7) (New, SG No. 88/2015, effective 13.11.2015, amended, SG No. 95/2020, effective 6.11.2020, SG No. 80/2025, effective 30.09.2025) Where the investor in eligible sectors under Paragraph (2) carries out simultaneously an activity in the excluded sectors referred to in Paragraph (5), promotion shall be extended according to the procedure established by these Regulations only to the investments in the eligible sectors, and the investor shall keep separate accounts ensuring separation of the activities and/or differentiation of the costs so that the excluded sectors are not subject to promotion.

(8) (Renumbered from Paragraph 7, SG No. 88/2015, effective 13.11.2015) The classifications of the economic activities and products covered under Paragraphs (2), (4) and (5) shall be published on the Internet site of the Invest Bulgaria Agency, hereinafter referred to as "the Agency."

(9) (New, SG No. 62/2010, amended, SG No. 36/2014, effective 25.04.2014, renumbered from Paragraph (8), SG No. 88/2015, effective 13.11.2015, amended, SG No. 95/2020, effective 6.11.2020, SG No. 80/2025, effective 30.09.2025) The investments referred to in Paragraph (1) shall be promoted where they fulfil the conditions of Article 12 (2), Article 13 and Article 13a of the IPA and, for the application of measures which constitute State aid or de minimis aid, the said investments must furthermore comply with the relevant applicable requirements for the granting of aid, as certified by the documents submitted under Article 4 herein.

(10) (New, SG No. 95/2020, effective 6.11.2020, amended, SG No. 24/2021, effective 23.03.2021, SG No. 82/2022, effective 14.10.2022, SG No. 59/2025, effective 22.07.2025, SG No. 80/2025, effective 30.09.2025) The activities referred to in Item 2 (c) of Paragraph (2): human health activities and residential care activities (Codes R 86 and 87) and in Item 2 (f): warehousing and storage (Code H 52.1) may be promoted by measures referred to in Items 1 to 3 of Article 15 (1) of the IPA.

Article 2a. (New, SG No. 88/2015, effective 13.11.2015) (1) The investments of an undertaking under Article 13a, item 1 of the IPA shall not be promoted where it is:

1. (amended, SG No. 41/2018, effective 18.05.2018, SG No. 95/2020, effective 6.11.2020) an undertaking which is subject to an outstanding aid recovery order following a previous Commission decision declaring an aid granted by a Bulgarian aid administrator illegal and incompatible with the internal market;

2. an undertaking in difficulty.

(2) No aid for promotion of the following investments shall be granted under these Regulations, which has set out in Chapter I, Article 1, Paragraph (2) (c) and (d) of Regulation (EU) No. 651/2014 are:

1. aid for export-related activities, namely aid directly linked to exported quantities, to the establishment and operation of a distribution network or to other export-related current costs;

2. aid contingent on the use of local goods at the expense of imported goods.

Article 3. (Amended, SG No. 20/2009, effective 17.03.2009) (1) (Amended, SG No. 80/2025, effective 30.09.2025) A Class A and B investment certificate shall be issued for an investment project with a threshold amount of investments within a single establishment under Item 5 of Article 12 (2) of the IPA:

1. (amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013) for the economic activities of the industrial sector referred to in Item 1 of Article 2 (2) herein: manufacturing (Code C 10-33.2):

(a) (amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class A: EUR 5,000,000;

(b) (amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class B: EUR 2,500,000;

2. (amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013) for the economic activities of the services sector referred to in Item 2 (f) and (g) of Article 2 (2) herein:

(a) (amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class A: EUR 1,500,000;

(b) (amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class B: EUR 750,000;

(2) (Amended, SG No. 80/2025, effective 30.09.2025) The threshold amount of investments within a single establishment in the cases referred to in Item 5 (a) of Article 12 (2) and in Item 10 of § 1 of the Supplementary Provisions of the IPA, where the investment is entirely implemented within the administrative boundaries of municipalities with a rate of unemployment for the year preceding the current year which was equal to or higher than the national average, shall be:

1. (amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class A: EUR 2,000,000;

2. (amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class B: EUR 1,000,000;

(3) (Amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013) The threshold amount of investments in an establishment in the high-technology activities of the industrial sector of the economy according to Paragraph (5) in conjunction with Item 5 (b) of Article 12 (2) of the IPA shall be:

1. (amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class A: EUR 2,000,000;

2. (amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class B: EUR 1,000,000;
- (4) (Amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013) The threshold amount of investments within a single establishment in the high-technology activities of the services sector referred to in Item 2 (a) to (e) of Article 2 (2) herein in the cases referred to in Item (c) of Item 5 of Article 12 (2) of the IPA shall be:
  1. (amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class A: EUR 1,000,000;
  2. (amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class B: EUR 500,000;
- (5) (Amended, SG No. 62/2010, SG No. 59/2025, effective 22.07.2025) The high-tech manufacturing industries referred to in under Paragraph (3) shall be the activities defined by Eurostat according to Item 11 (a) of § 1 of the Supplementary Provisions of the IPA which, with the designations of the items and codes under KID 2025, shall be:
  1. (amended, SG No. 80/2025, effective 30.09.2025) manufacture of chemical products (Code C 20);
  2. production of medicinal substances and products (Code C 21);
  3. (amended, SG No. 59/2025, effective 22.07.2025) manufacture of computer and telecommunications equipment, electronic and optical products (Code C 26) and the related installation, repair and maintenance (Codes C 33.13 and 33.20);
  4. manufacture and repair of electrical equipment (Code C 27) and the related installation, repair and maintenance (Codes 33.14 and 33.20);
  5. manufacture of general-purpose and special-purpose machinery and equipment (Code C 28) and the related installation, repair and maintenance (Codes C 33.12 and 33.20);
  6. manufacture of motor vehicles, trailers and semi-trailers and other transport equipment (Codes C 29 and C 30) and the related installation, repair and maintenance (Codes C 33.11-17 and 33.20), with the exception of building and repairing of ships and boats (Codes C 30.1 and C 33.15), including in conjunction with Article 2 (5) herein;
  7. (amended, SG No. 80/2025, effective 30.09.2025) manufacture, repair and maintenance of transport equipment other than motor vehicles (Codes C 30, C 33.11-17 and 33.20);
  8. manufacture of medical and dental instruments and supplies (Code C 32.5) and the related installation, repair and maintenance (Codes C 33.12-14 and 33.20).
- (6) (Amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013) The high-tech knowledge-intensive services referred to in Paragraph (4) shall be the services defined by Eurostat according to Item 11 (b) of § 1 of the Supplementary Provisions of the IPA and shall be those listed in Item 2 (a) to (e) of Article 2 (2) herein.
- (7) Where an investment falls simultaneously under the cases referred to in Paragraphs (2) and (4), the investor shall have the right to choose an option of a threshold amount of the investment which is more favourable to the said investor.
- (8) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The list of municipalities referred to in Paragraph (2) shall be proposed annually by the Minister of Labour and Social Policy and shall be endorsed by an order of the Minister of Innovation and Growth. The said order shall be promulgated in the State Gazette and shall be made publicly available on the Internet site of the Ministry of Innovation and Growth and the Internet site of the InvestBulgaria Agency.
- (9) (New, SG 24/2013, effective 12.03.2013) The amount of investments for the issuing of a Class C certificate under Article 22h of the IPA must not exceed the threshold amounts for Class B under Paragraph (2).

Article 3a. (New, SG No. 24/2013, effective 12.03.2013) (1) (Amended, SG No. 80/2025, effective 30.09.2025) A Class A and Class B investment certificate shall be issued where the investment project plans the creation and maintenance of full-time employment under the terms and according to the procedure established by the Labour Code, with the amount of investments referred

to in Article 3 (1) herein being reduced in pursuance of Item 5 (d) of Article 12 (2) of the IPA depending on the number of new jobs planned to be created and maintained and is not less than:

1. for the economic activities of the industrial sector referred to in Item 1 of Article 2 (2) herein:

(a) (amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class A: EUR 2,000,000 where 100 new jobs are created;

(b) (amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class B: EUR 1,000,000 where 50 new jobs are created;

2. for the economic activities of the services sector referred to in Item 2 of Article 2 (2) herein:

(a) (amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class A: EUR 500,000 where 100 new jobs are created;

(b) (amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) for Class B: EUR 250,000 where 50 new jobs are created;

(2) (Amended, SG No. 80/2025, effective 30.09.2025) Where the investment project is entirely implemented within the administrative boundaries of municipalities with a rate of unemployment for the year preceding the current year which was equal to or higher than the national average, according to Item 5 (a) of Article 12 (2) and under Item 10 (a) of § 1 of the Supplementary Provisions of the IPA, the amount of investments and the jobs created shall be not less than:

1. (amended, SG No. 80/2025, effective 30.09.2025) for Class A: EUR 50,000 where 25 new jobs are created;

2. (amended, SG No. 80/2025, effective 30.09.2025) for Class B: EUR 25,000 where 10 new jobs are created.

(3) (Amended, SG No. 80/2025, effective 30.09.2025) Where the investment project is implemented in the high-technology activities of the industrial sector referred to in Article 3 (5) in conjunction with Item 5 (b) of Article 12 (2) of the IPA, the amount of investments and the jobs created shall be not less than:

1. (amended, SG No. 80/2025, effective 30.09.2025) for Class A: EUR 50,000 where 25 new jobs are created;

2. (amended, SG No. 80/2025, effective 30.09.2025) for Class B: EUR 25,000 where 10 new jobs are created.

(4) (Amended, SG No. 80/2025, effective 30.09.2025) Where the investment project is implemented in the high-technology activities of the services sector referred to in Article 3 (6) in conjunction with Item 5 (c) of Article 12 (2) of the IPA shall be not less than:

1. (amended, SG No. 80/2025, effective 30.09.2025) for Class A: EUR 50,000 where 50 new jobs are created;

2. (amended, SG No. 80/2025, effective 30.09.2025) for Class B: EUR 25,000 where 25 new jobs are created;

(5) Where the investment project falls simultaneously under the cases referred to in Paragraphs (2) and (4), the investor shall have the right to choose an option which is more favourable to the said investor.

(6) (New, SG No. 80/2025, effective 30.09.2025) Each job under the project shall be maintained for a minimum period of 36 months, applicable to a large enterprise and to small and medium-sized enterprises, reckoned from the date of completion of works on the project. In cases where the measure referred to in Article 22c and/or under Article 22e of the IPA is to be enjoyed under a priority investment project, the requirements provided for the measure concerned shall apply to the employment.

Article 3b. (New, SG No. 88/2015, effective 13.11.2015, repealed, SG No. 82/2022, effective 14.10.2022).

## **Chapter Two**

# **INVESTMENT CLASS CERTIFICATE ISSUING**

# **PROCEDURE**

## **(Heading amended, SG No. 36/2014, effective 25.04.2014)**

### **Section I**

#### **Application and Documents Attached Thereto**

Article 4. (1) (Supplemented, SG No. 20/2009, effective 17.03.2009, SG No. 62/2010, amended, SG No. 24/2013, effective 12.03.2013, supplemented, SG No. 36/2014, effective 25.04.2014, amended, SG No. 86/2017, effective 27.10.2017) Any investor wishing to obtain an investment class certificate under Article 14 (2) and (3) of the IPA shall submit an application completed in a standard form according to Annex 1 hereto and other required additional documents as specified in the application to the Executive Director of the Invest Bulgaria Agency before work on the investment project has started.

(2) (Amended and supplemented, SG No. 20/2009, effective 17.03.2009, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013, amended, SG No. 36/2014, effective 25.04.2014) The application referred to in Paragraph (1) shall contain the investment project referred to in Article 18 (2) of the IPA, satisfying the conditions of Article 12 of the IPA.

(3) (New, SG No. 36/2014, effective 25.04.2014, supplemented, SG No. 88/2015, effective 13.11.2015, amended, SG No. 86/2017, effective 27.10.2017, SG No. 41/2018, effective 18.05.2018) Documents certifying the non-incurrence of pecuniary obligations to the State or the municipality, referred to in Item 4 of Article 13 (1) of the IPA, and the existence or lack of unpaid labour remunerations to factory and office workers, established by an enforceable penalty decree, referred to in Item 5 of Article 13 (1) of the IPA, shall be presented through official channels by the National Revenue Agency, the municipality and the General Labour Inspectorate Executive Agency, at the request of the Agency.

(4) (New, SG No. 83/2019, effective 22.10.2019, supplemented, SG No. 80/2025, effective 30.09.2025) Before submitting the application referred to in Paragraph (1), the investor shall approach the relevant competent environment authority with a request for an opinion regarding the admissibility of the investment project vis-a-vis the regimes established in endorsed river basin management plans and in the flood risk management plans, where applicable, as well as with regard to the admissibility vis-a-vis the regime of activities within the protected areas and/or the special areas of conservation, as well as on the applicable procedure according to the procedure established by Chapter Six of the Environmental Protection Act and/or Article 31 of the Biological Diversity Act.

(5) (New, SG No. 36/2014, effective 25.04.2014, renumbered from Paragraph (4), amended, SG No. 83/2019, effective 22.10.2019, SG No. 80/2025, effective 30.09.2025) The investor or the competent environment authority shall submit the opinion referred to in Paragraph (4) to the InvestBulgaria Agency.

(6) (New, SG No. 88/2015, effective 13.11.2015, renumbered from paragraph 5, SG No. 83/2019, effective 22.10.2019) When submitting an application under Paragraph (1) the investor shall specify which data can be found in public registers. The investor shall not be obliged to submit original documents or transcripts which have been provided to the Agency in other procedures.

(7) (New, SG No. 95/2020, effective 6.11.2020) The application referred to in Paragraph (1) shall be treated as a written application for aid within the meaning given by Article 6 (2) of Regulation (EU) No. 651/2014.

Article 5. (Amended, SG No. 20/2009, effective 17.03.2009, amended and supplemented, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013, repealed, SG No. 36/2014, effective 25.04.2014).

Article 6. (Amended and supplemented, SG No. 20/2009, effective 17.03.2009, amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013, repealed, SG No. 36/2014, effective 25.04.2014).

Article 6a. (New, SG No. 20/2009, effective 17.03.2009) (1) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 88/2015, effective 13.11.2015) The application and the documents referred to in Article 4 (1) herein shall concurrently constitute an application for aid with incentive effect for the performance of the investment project, comprising an initial investment according to the conditions of Article 12 (1) and (2) Item 1 of the IPA within the meaning of Item 49 "a" of Article 2 of Regulation (EU) No. 651/2014 and § 2c of the supplementary provisions, where the conditions within the meaning given by Article 6 of Regulation (EU) No. 651/2014 are fulfilled.

(2) (Supplemented, SG No. 62/2010, amended, SG No. 36/2014, effective 25.04.2014, SG No. 80/2025, effective 30.09.2025) The applicants may alternatively be two or more legal persons which meet the requirements of Article 17 of the IPA, with the legal persons or the combination thereof being bound by the application and by execution of the investment project with regard to the investment and the employment. The legal persons or the combination shall be entered in the certificate referred to in Article 16 herein.

(3) (Amended, SG No. 62/2010, repealed, SG No. 36/2014, effective 25.04.2014).

(4) (New, SG No. 62/2010, amended, SG No. 36/2014, effective 25.04.2014) The documents referred to in Article 4 (1) herein can be checked through official channels or the investor may be required to substantiate with the said declarations by an appropriate document upon:

1. (amended, SG No. 88/2015, effective 13.11.2015, supplemented, SG No. 80/2025, effective 30.09.2025) the implementation of the State aid schemes for investment promotion, including upon the monitoring under Chapter II, Article 12 of Regulation (EU) No. 651/2014, where the promotion measures which are being provided are State aids;

2. the conclusion of a contract according to the procedure established by these Regulations and/or an agreement/memorandum under Article 67 herein;

3. the exercise of control over the contracts concluded according to the procedure established by these Regulations;

4. the exercise of control over the investment projects as implemented according to the procedure established by Articles 69 and 70 herein.

(5) (New, SG No. 88/2015, effective 13.11.2015, amended, SG No. 43/2022, effective 10.06.2022, SG No. 80/2025, effective 30.09.2025) Compliance with the conditions of the regional investment aid scheme and the training aid scheme, where the promotion measures which are being provided are State aids, shall be checked under Paragraph (4) on the basis of a Methodology for conformity assessment of investment projects and training projects, endorsed by an order of the Minister of Innovation and Growth or an official empowered thereby of an administration with the said Minister.

(6) (New, SG No. 88/2015, effective 13.11.2015) In the cases referred to in Paragraph (2) the legal entity which is to be incorporated may also be established upon submitting the application under Article 4 (1) but not later than at the time of preparation of the opinion under Article 13 (1) and the said legal entity shall be notified thereof by any of the persons under Article 11 (2).

Article 7. (Amended, SG No. 62/2010) (1) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) Investors shall provide documents and information to the Executive Director of the Agency, to the Minister of Innovation and Growth or to another administrative authority in the following manners:

1. on a paper-based and electronic data medium or by electronic means without use of an electronic signature;

2. by electronic means with use of a universal electronic signature according to the procedure established by the Electronic Documents and Electronic Signature Act.

(2) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) Electronic documents shall be submitted at the addresses specified on the official

Internet sites of the Agency, of the Ministry of Innovation and Growth or of another administrative authority, and the receipt and confirmation of any such documents shall follow the procedure established by the Electronic Governance Act.

(3) (Amended, SG No. 36/2014, effective 25.04.2014) Any documents covered under Article 4 (1) herein, which are written in any language other than Bulgarian, shall be presented accompanied by a translation into the Bulgarian language.

## **Section II**

### **(Repealed, SG No. 36/2014, effective 25.04.2014)**

### **Investment Project**

Article 8. (Repealed, SG No. 36/2014, effective 25.04.2014).

Article 9. (Amended, SG No. 20/2009, effective 17.03.2009, SG No. 62/2010, repealed, SG No. 36/2014, effective 25.04.2014).

Article 10. (Amended and supplemented, SG No. 20/2009, effective 17.03.2009, amended, SG No. 62/2010, amended and supplemented, SG No. 24/2013, effective 12.03.2013, repealed, SG No. 36/2014, effective 25.04.2014).

## **Section III**

### **Procedure for Assessment of Documents. Award of Certificate. Refusal to Award**

Article 11. (1) (Amended, SG No. 36/2014, effective 25.04.2014) Upon receipt of the application and documents covered under Article 4 (1) herein, the said application and documents shall be filed at the records office of the Agency, noting the date of submission of the application, the sequential number, the particulars of the applicant (business name/names, registered office and address of the place of management/permanent address).

(2) (Supplemented, SG No. 62/2010) The Executive Director or an official empowered thereby shall designate officers of the Agency to assess the application and the documents for conformity with the requirements of the IPA and of these Regulations, in case this activity is not carried out by an organisational structure according to the Structural Regulations of the Invest Bulgaria Agency.

(3) (Amended, SG No. 36/2014, effective 25.04.2014) The assessment referred to in Paragraph (2) shall furthermore include a verification for conformity of the costs of the investment project to the financial capacities of the investor and sources of financing, certified by the application and the documents covered under Article 4 (1) herein, as well as to the terms established under Article 12 and Items 2 and 3 of Article 13a of the IPA.

(4) (Amended, SG No. 62/2010, SG No. 36/2014, effective 25.04.2014, supplemented, SG No. 80/2025, effective 30.09.2025) In case the employees referred to in Paragraph (2) ascertain any non-conformities and/or deficiencies in the application and the documents referred to in Article 4 (1) herein within 14 days, the investor shall be notified in writing of the said non-conformities and/or deficiencies and shall be allowed up to two months from the submission of the application to cure the said non-conformities and/or deficiencies.

(5) The investor shall be notified by the Executive Director of the Agency or by an official empowered thereby, with the notice being dispatched on a paper-based data medium or by electronic means in one or several of the following manners:

1. registered letter with an addressee's acknowledgement of receipt;
2. on a paper-based data medium according to the procedure established by Item 1 and via electronic mail without use of an electronic signature;
3. by electronic means with use of an electronic signature.

(6) If the notice is not accepted by the person at the address named thereby, the notification shall be considered effected by posting the said notice in a place expressly designated for this purpose at the building of the Agency.

Article 11a. (New, SG No. 36/2014, effective 25.04.2014) (1) After receipt of the application referred to in Article 11 (1) herein, the Executive Director or an official empowered thereby shall issue the applicant a certificate completed in a standard form according to Annex 2 hereto.

(2) Upon presentation of the certificate referred to in Paragraph (1), the executive authorities and the administrations thereof shall be obligated to provide full assistance to the investor in obtaining documents required for the issuing of the investment class certificate and to notify the Agency of the officials/units designated to provide information services referred to in the certificate.

Article 12. (1) (Amended, SG No. 62/2010, SG No. 36/2014, effective 25.04.2014) Where, upon assessment of the application and the documents covered under Article 4 (1) herein, it is incumbent to perform an evaluation within the competence of another authority, the Executive Director of the Agency shall forward the investment project and shall request presentation of an opinion in the cases where:

1. a specific economic activity or products produced for implementation of the investment project have to be evaluated;
2. (amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013, SG No. 80/2025, effective 30.09.2025) the possibilities for application of the investment promotion measures under Articles 22, 22a, 22b, 22c, 22e or Article 22f (3) of the IPA have to be evaluated in advance;
3. (amended, SG No. 41/2018, effective 18.05.2018) the procedures under Chapter Five of the State Aids Act must be applied.

(2) The competent authorities shall present the opinions thereof within fourteen days after receipt of the request, with the exception of the cases where a special law provides otherwise.

Article 13. (1) (Amended, SG No. 62/2010, SG No. 36/2014, effective 25.04.2014) After performance of an assessment of the application and the documents covered under Article 4 (1) herein, the officers referred to in Article 11 (2) herein shall prepare an opinion on the issuing of an investment class certificate.

(2) (Amended and supplemented, SG No. 36/2014, effective 25.04.2014, amended, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) On the basis of the opinion so prepared, the Executive Director or the official empowered thereby shall provide the Minister of Innovation and Growth with a reasoned proposal to issue or to refuse to issue a certificate within thirty days after receipt of the application or after the curing of the non-conformities and/or deficiencies under Article 11 (4) herein.

(3) The proposal referred to in Paragraph (2) shall contain:

1. a full and accurate reasoned evaluation for the issuing of an investment class certificate in accordance with the requirements of the IPA and of these Regulations, or
2. grounds for a refusal to issue an investment class certificate under Article 19a of the IPA.

(4) (Amended, SG No. 36/2014, effective 25.04.2014) The application and the documents covered under Article 4 (1) herein shall be attached to the application.

(5) Where any non-conformities and/or deficiencies are ascertained according to the procedure established by Article 11 (4) herein, the time limit referred to in Paragraph (2) shall begin to run as from the date of the curing of the said non-conformities and/or deficiencies.

(6) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) In the case of any non-conformities and/or deficiencies ascertained according to the procedure established by Article 11 (4) herein, which are not cured within six months reckoned from the date of submission of the application, the Executive Director shall notify the Minister of Innovation and Growth of the expiry of the time limit according to the procedure established by Paragraph (2).

Article 14. (1) (Supplemented, SG No. 20/2009, effective 17.03.2009, amended, SG No. 62/2010, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The Minister of Innovation and Growth or an official empowered thereby shall examine the proposal referred to in Article 13 (2) herein and:

1. (amended, SG No. 62/2010) shall issue or shall refuse to issue a Class A or Class B certificate within fourteen days of the receipt of the proposal, or

2. (new, SG No. 62/2010, amended, SG No. 24/2013, effective 12.03.2013) shall lay the proposal before the Council of Ministers for issuing a priority investment project certificate according to the procedure established by Article 68 (1) herein within thirty working days of the receipt of the proposal, or

3. (renumbered from Item 2, SG No. 62/2010) shall return the proposal and the documents attached thereto for re-assessment in the cases of non-conformity with any of the requirements of the IPA and these Regulations.

(2) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The Minister of Innovation and Growth or an official empowered thereby shall refuse to issue a certificate according to the procedure established by the Administrative Procedure Code in the cases covered under Article 19a of the IPA.

(3) (Amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The Minister of Innovation and Growth may extend by up to two years the period of validity of any certificate issued under Paragraph (1) in accordance with the requirements of Article 22a of the IPA under the terms and according to the procedure of the issuing of the said certificate.

(4) (New, SG No. 94/2014, effective 14.11.2014, amended, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The Minister of Innovation and Growth sends a copy of the issued certificate for class A, class B or the priority investment project under paragraph 1 or 3 to the municipality mayor depending on the investment location, by notifying him/her for the promotion measures stated.

Article 15. (1) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The officers of the Ministry of Innovation and Growth, of the Agency, as well as other officials of the central and local executive authorities, performing administrative functions in connection with the application of investment promotion measures, shall be obligated not to disclose the information which has come to the knowledge thereof in connection with the performance of the official duties thereof related to the investment project and the documents attached to the application.

(2) The restriction referred to in Paragraph (1) shall not extend to any information regarding:

1. the general presentation of the investor and of the investment project, containing information on the amount and type of the investment;

2. the products and services produced, intended for the internal market or for external markets;

3. the location and time limits for performance of the project;

4. (amended, SG No. 62/2010) the number of jobs, as well as the number of persons trained and the financial parameters of the training project;

5. the purposes, content and specific parameters of the investment promotion measures under the IPA in connection with the requirements for publicity and transparency of the aid granted for implementation of the investment project, arising from Community law and from the law of the Republic of Bulgaria in the State aid field;

6. the data referred to in Article 17 (3) herein.

## **Section IV**

### **Investment Class Certificate**

Article 16. (1) (Supplemented, SG No. 62/2010, amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) In respect of Class A and Class B investments and in respect of priority investment projects, a certificate shall be issued in a standard form proposed by the Executive Director of the Agency and endorsed by the Minister of Innovation and Growth or by an official empowered thereby.

(2) The certificate shall contain the following essential elements:

1. sequential number;
  2. title and location of the investment project and the economic activity in which the said project is implemented;
  3. (amended, SG No. 36/2014, effective 25.04.2014, SG No. 95/2020, effective 6.11.2020) the information referred to in Section I, Subsection 1A of the application referred to in Article 4 (1) herein;
  4. (supplemented, SG No. 80/2025, effective 30.09.2025) investment class and the applicable grounds under Article 3 or 3a herein;
  5. (amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013, SG No. 36/2014, effective 25.04.2014) the investor's rights to enjoy the promotion investment measures covered under Article 15 (1) and (2) of the EPA in the cases where the said investors [sic] have declared the intention thereof to enjoy such measures in the application referred to in Article 4 (1) herein;
  6. date of issuing and period of validity;
  7. grounds for issuing;
  8. (supplemented, SG No. 62/2010, amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) signature of the Minister of Innovation and Growth or of the official empowered thereby and seal for Class A or Class B investments, or signature and seal of the Minister of Innovation and Growth and another/other empowered person/s according to the Council of Ministers decision referred to in Article 68 (1) and (2) herein for priority investment projects.
- (3) (Amended, SG No. 24/2013, effective 12.03.2013) The validity of the certificate may not exceed three years reckoned from the date of the issuing thereof, with the exception of the cases provided for in Article 20a of the IPA.
- (4) (Amended and supplemented, SG No. 20/2009, effective 17.03.2009, amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The certificate shall be issued in two copies in the Bulgarian language: one copy shall be kept at the Ministry of Innovation and Growth, and the other copy shall be provided to the investor. In case the investor is a non-resident person or if the Bulgarian investor so requests, the certificate shall be issued in the English language as well.

Article 17. (1) (Supplemented, SG No. 62/2010) The certificates as issued shall be entered into an electronic database of the Agency.

(2) The electronic database referred to in Paragraph (1) shall contain the following information:

1. number and date of the application for the issuing of a certificate;
2. number, date of issuing and period of validity of the certificate;
3. (amended, SG No. 36/2014, effective 25.04.2014, SG No. 88/2015, effective 13.11.2015) the information referred to in Section I, Subsection 1A;
4. (supplemented, SG No. 80/2025, effective 30.09.2025) amount of investment and investment class, as well as the applicable grounds under Article 3 or 3a herein;
5. economic activities in which the investment is implemented, and principal products;
6. location of the investment;
7. (amended, SG No. 80/2025, effective 30.09.2025) investment promotion measures as applied for in compliance with the requirements for monitoring and transparency of information in the State aid field;
8. (amended, SG No. 36/2014, effective 25.04.2014) other information from the application referred to in Article 4 (1) herein.

(3) (Amended and supplemented, SG No. 20/2009, effective 17.03.2009, amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The public domain part of the electronic database referred to in Paragraph (1) shall be accessible to the general public on the Internet site of the Ministry of Innovation and Growth and of the Agency and shall contain the information covered under Article 16 (2) herein, including information on the measures applied under the IPA.

(4) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The certificate as issued, the application, the documents covered under Article 4 (1) herein, and the reasoned proposal referred to in Article 13 (2) herein shall be kept at the Ministry of Innovation and Growth according to the requirements of the State Aids Act and the State Archival Collections Act.

(5) Certified copies of the documents covered under Paragraph (4) herein shall be kept at the Agency.

(6) (New, SG No. 24/2013, effective 12.03.2013) In pursuance of Item 8 of Article 22i of the IPA, for the purposes of the annual report and in conjunction with Item 7 of Article 22i of the IPA, the municipality mayor shall maintain the following information in an electronic database:

1. an up-to-date list of the vacant grounds and other corporeal immovables which the municipality has decided to make available for the implementation of investments;

2. blank forms and standard forms of applications for the award of a Class C investment certificate and enjoyment of the [investment] promotion measures according to the ordinance referred to in Article 22h (1) [of the IPA ];

3. information on the Class C investment certificates issued by the municipality containing, as a minimum, the following data:

(a) number and date of the application for the issuing of a certificate;

(b) number, date of issuing and period of validity of the certificate;

(c) (amended, SG No. 36/2014, effective 25.04.2014, SG No. 95/2020, effective 6.11.2020) the information referred to in Section I, Subsection 1A of the application referred to in Article 4 (1) herein;

(d) amount of investment and investment class;

(e) economic activities in which the investment is implemented, and principal products;

(f) location of the investment;

(g) investment promotion measures applied in conformity with the requirements for monitoring and transparency of information in the State aid field.

Article 18. (Amended, SG No. 20/2009, effective 17.03.2009, SG No. 62/2010, supplemented, SG No. 24/2013, effective 12.03.2013) The electronic database referred to in Article 17 (1) herein shall be maintained by officials designated by the Executive Director of the Agency and/or by an organisational structure according to the Structural Regulations of the Invest Bulgaria Agency, and the data shall be updated annually with the information received in accordance with Article 19a herein. The electronic database referred to in Article 17 (6) herein shall be maintained by officials designated by the municipality mayor.

Article 19. (1) (Amended, SG No. 62/2010, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) Upon any change in the circumstances entered into the electronic database, investors shall be obligated to submit an application to the Ministry of Innovation and Growth through the Agency within fourteen days after occurrence of any such change.

(2) The documents certifying the change shall be attached to the application referred to in Paragraph (1).

(3) Upon occurrence of a succession in title in respect of the enterprise or production which is subject to the investment, the new person shall present the documents referred to in Paragraph (2), as well as:

1. (amended, SG No. 20/2009, effective 17.03.2009, repealed, SG No. 36/2014, effective 25.04.2014);
2. (amended, SG No. 36/2014, effective 25.04.2014, SG No. 88/2015, effective 13.11.2015) a report on the performance of the initially applied for investment project, approved by the Executive Director and published on the website of the Agency.
- (4) (Supplemented, SG No. 62/2010) The change shall be entered according to the procedure established by Articles 13 and 14 herein after an evaluation of the documents presented within fourteen days after receipt of the application.
- (5) (Supplemented, SG No. 95/2020, effective 6.11.2020) Entry shall be effected subject to compliance with the requirements of Articles 13 and 13a of the IPA, which shall be certified by a declaration regarding circumstances that are not changed and by documents regarding the circumstances changed.
- (6) Where the change in the circumstances entered into the electronic database entails a change in the particulars entered in the certificate, a certificate shall be issued showing the circumstances changed. The new certificate shall be provided after return of the previously issued certificate.
- (7) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) In case the initially issued certificate is lost or destroyed, the Minister of Innovation and Growth shall issue a replacement of the certificate after the investor submits an application attaching a written declaration of the circumstances whereunder the certificate was lost or destroyed.
- (8) (New, SG No. 24/2013, effective 12.03.2013) Upon any change in the circumstances entered into the electronic database referred to in Article 17 (6) herein, investors shall be obligated to submit an application to the municipality mayor within fourteen days after occurrence of any such change, describing the change which has occurred and attaching the relevant documents certifying the change.

Article 19a. (New, SG No. 20/2009, effective 17.03.2009, supplemented, SG No. 24/2013, effective 12.03.2013, SG No. 82/2022, effective 14.10.2022, amended, SG No. 80/2025, effective 30.09.2025) At the end of each year within the period of validity of the certificate and within the period of maintenance of the investment and employment according to Items 7 and 8 of Article 12 (2) of the IPA, the certified investors shall submit to the Executive Director of InvestBulgaria Agency information about the progress of the investment project thereof, including data about the amount of the invested funds, according to the investment plan thereof, the observance of the schedule, the jobs created, the promotion measures under the IPA enjoyed and the State aid granted. The information consolidated by the InvestBulgaria Agency shall be submitted to the Minister of Innovation and Growth until the end of the second quarter of the current year.

Article 19b. (New, SG No. 80/2025, effective 30.09.2025) (1) In the cases referred to in Article 20b of the IPA, where the immovables wherein the implementation of a certified investment projects are affected to a degree rendering the said immovables unusable as intended, the investor may submit a request to the InvestBulgaria Agency for assistance in finding a new ground or grounds possessing the requisite characteristics.

(2) Upon the submission of the request referred to in Paragraph (1), where the grounds for the said submission are any legally non-conforming instruments, acts or omissions by authorities and officials impeding the execution of the investment project, the investor shall enclose an enforceable judgment whereby the legal non-conformity is established.

(3) Where the grounds are force majeure, constituting an unforeseen or unavoidable event of an extraordinary nature which has occurred after the certification of the investment project, the request shall be submitted, accompanied by documents issued by State bodies, bodies of local self-government, or by an independent organisation proving beyond dispute the cases of force majeure that have occurred. The investor shall be obliged to notify the InvestBulgaria Agency in writing within 30 days of the occurrence of the event and to provide copies of the relevant documents.

(4) In the cases referred to in Article 20b of the IPA, the InvestBulgaria Agency shall assist the investor in the search for suitable alternative immovables and, to this end:

1. in cooperation with the relevant competent authority referred to in Article 22a of the IPA, shall gather and analyse information about immovables suitable for the implementation of the investment project;

2. should any immovables be identified as suitable, shall offer the said immovables to the investor for approval;

3. where necessary, shall perform intermediation and contact between the investor and the competent authority referred to in Article 22a of the IPA.

(5) The investor shall be obliged to undergo a re-certification procedure for the investment project if the immovable approved by the said investor is located in another municipality or the relevant parameters of the project have been changed, with the investor returning the initially issued certificate to the InvestBulgaria Agency prior to the submission of the application referred to in Article 18(1) of the IPA.

### **Chapter Three**

## **PROCEDURE FOR INDIVIDUALIZED ADMINISTRATIVE SERVICES BY INVEST BULGARIA AGENCY AND LOCAL EXECUTIVE AUTHORITIES**

### **(Heading amended, SG No. 62/2010)**

Article 20. (1) (Supplemented, SG No. 62/2010) Individualised administrative services shall be provided by officers of the Agency in dealings with the central government authorities at the request of an investor who has been awarded a Class A investment certificate or a priority investment project certificate.

(2) (Supplemented, SG No. 62/2010) Any such request shall be submitted to the Agency by the investor or by a person authorised thereby according to the procedure established by Article 7 (1) herein.

(3) Any such request shall be entered in an incoming register, noting the date of receipt thereof.

Article 21. (1) (Supplemented, SG No. 62/2010) Individualised administrative services shall be performed by officers designated according to a list endorsed by the Executive Director of the Agency, in case this activity is not carried out by an organisational structure(s) according to the Structural Regulations of the Invest Bulgaria Agency.

(2) In respect of each request entered, the Executive Director of the Agency shall designate the officers who will provide the individualised administrative services as may be necessary for the performance of the relevant investment project.

Article 22. (1) (Amended, SG No. 62/2010) Upon implementation of individualised administrative services, the officers referred to in Article 21 (1) herein shall be obligated:

1. to provide investors with a clear, accurate, reliable and comprehensive information on issues within the competency of the Agency and to facilitate the addressing of specific problems which arise in the course of implementation of the investment:

2. to answer queries in connection with the requisite procedures and to refer the said queries to the administrative authorities competent to address the relevant question;

5. to contact other executive and local authorities and to facilitate the arrangement of meetings between investors and the relevant competent authorities.

(2) The investor may authorise the officers referred to in Article 21 (1) herein:

1. to submit to the relevant competent authorities and to receive therefrom all requisite documents for implementation of the investment project, or

2. to participate, together with representatives of the investor, in all activities related to the submission to the relevant competent administrative authorities and to the receipt thereof of all requisite documents for implementation of the investment project.

(3) The investor shall co-operate with the officers of the Agency by providing the necessary documents, including documentary proof of payment of fees.

(4) Individualised administrative services shall be provided by the Agency free of charge. Any fees established by a statutory instrument for the issuing of documents and/or for the performance of administrative services shall be for the account of the investor.

Article 23. (1) (Previous text of Article 23, supplemented, SG No. 62/2010) Except for the cases referred to in Article 20 (1) herein, individualised administrative services shall be provided by officials of the local executive authorities in dealings with the relevant competent authorities at the request of an investor who has been awarded a Class A investment certificate or a priority investment project certificate.

(2) (New, SG No. 62/2010) The request referred to in Paragraph (1) shall be submitted by the investor or by a person authorised thereby according to the procedure established by Article 7 (1) herein through the Agency or directly to the relevant local executive authority.

(3) (New, SG No. 62/2010) Any such request shall be entered in an incoming register, noting the date of receipt thereof.

(4) (New, SG No. 62/2010) Upon implementation of individualised administrative services, the officers referred to in Paragraph (1) shall be obligated:

1. to provide clear, accurate, reliable and comprehensive information on the procedures required for the implementation of the project, which shall include:

(a) accurate designation of the administration;

(b) seat and address, as well as the addresses of the territorial units, if any;

(c) contact details: telephone, electronic mail address and Internet site;

(d) business hours of the administrative services unit at the administration;

(e) regulatory framework relevant to the provision of the administrative service;

2. to answer queries in connection with the required procedures and to refer questions to the administrative authorities competent to address the relevant question;

3. to clarify the requirements which the application or the request for implementation of the administrative service, the complaint, protest, alert or proposal must meet under the relevant procedure;

4. to provide the investor with:

(a) comprehensive and accurate information about the documents required, the deadlines and the fees under the special laws;

(b) standard forms of documents which must be completed for the provision of the administrative service;

(c) information about the period of validity of the individual administrative act for the issuing of which an application is submitted;

5. to contact the relevant competent authorities and to facilitate the issuing and receipt thereof of all documents necessary for the implementation of the relevant investment and for carrying out of the economic activity related to the said investment.

(5) (New, SG No. 62/2010) The investor may authorise the officers referred to in Paragraph (1) and provide the assistance required according to the procedure established by Article 22 (2) and (3) herein.

(6) (New, SG No. 62/2010) Individualised administrative services shall be provided by the local executive authorities referred to in Paragraph (1) free of charge. Any fees established by a statutory instrument for the issuing of documents and/or for the performance of administrative services shall be for the account of the investor.

Article 24. (1) The Executive Director of the Agency shall notify the relevant local executive authority exercising competence over the location of the investment of the intention of the

investor to use individualised administrative services specified in the application referred to in Article 4 herein.

(2) The notification referred to in Paragraph (1) shall furthermore include a request to the relevant local executive authority to designate the officers who will implement the individualised administrative services to the investor.

(3) (Repealed, SG No. 62/2010).

Article 25. (Amended, SG No. 62/2010) All executive authorities shall be obligated to co-operate with the officers, providing individualised administrative services.

Article 26. (Supplemented, SG No. 62/2010) Individualised administrative services shall be provided for the period of implementation of the Class A investment or the priority investment project and the economic activity related to the said investment, but the period of the said services may not exceed the period of validity of the certificate.

Article 27. Administrative services under this Section shall be implemented in compliance with the principles and procedure established by the Administration Act, the Administrative Procedure Code and the statutory instruments on the application thereof.

## **Chapter Four**

# **SALE, LEASE AND ONEROUS CREATION OF LIMITED RIGHT IN REM TO CORPOREAL IMMOVABLE CONSTITUTING PRIVATE STATE PROPERTY, PRIVATE MUNICIPAL PROPERTY OR PROPERTY OF CERTAIN PUBLIC ENTERPRISES**

**(Heading amended, SG No. 62/2010, SG No. 80/2025, effective 30.09.2025)**

Article 28. (1) (Amended, SG No. 80/2025, effective 30.09.2025) A sale or an onerous creation of a limited right in rem to a corporeal immovable and lease of land tracts under 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, under Article 22a of the IPA, shall be effected if the following conditions apply:

1. (amended, SG No. 62/2010) the investor has presented a request to the relevant competent authority referred to in Article 22a (1) or (10) of the IPA, and  
2. (amended, SG No. 62/2010) a Class A or Class B investment certificate or a priority investment project certificate has been issued to the investor.

(2) (Amended, SG No. 62/2010) The request referred to in Item 1 of Paragraph (1) must state the business name of the investor, the number and date of the investment class certificate and the corporeal immovable with the location identified in the investment project for which a certificate has been issued and the agreement/memorandum of understanding on a priority investment project as approved by a Council of Ministers Decision.

(3) (Amended and supplemented, SG No. 20/2009, effective 17.03.2009, amended, SG No. 24/2013, effective 12.03.2013, SG No. 36/2014, effective 25.04.2014, SG No. 95/2020, effective 6.11.2020, amended, SG No. 80/2025, effective 30.09.2025) The request in writing referred to in Item 1 of Paragraph (1) shall be accompanied by the application referred to in Article 4 (1) herein, the documents referred to in Item 4 of Article 16, if applicable, and Item 5 of Article 16 of the IPA and documents on an incorporated combination under Article 17 of the IPA, where applicable.

(4) (Amended, SG No. 82/2022, effective 14.10.2022) Any buildings and other works, which have been financed by resources of the European Union and/or by public funds, regardless of the source

of financing and the granting authority, may not be subject to the request referred to in Item 1 of Paragraph (1) and to the contract referred to in Article 31 herein until the expiry of the period of applicability of any prohibitions to dispose of or other relevant restrictions with regard to the building or work, as provided for in the financing rules. The contract referred to in Article 31 herein shall indicate the circumstances about the presence or absence of any such financing and, if applicable, about the grounds and the date of expiry of the applicable period of the relevant prohibition or other restriction.

(5) (New, SG No. 62/2010, amended and supplemented, SG No. 88/2015, effective 13.11.2015, repealed, SG No. 95/2020, effective 6.11.2020).

(6) (New, SG No. 80/2025, effective 30.09.2025) In the cases referred to in Item 5 of Article 22a (1) of the IPA, an alteration of the assigned use of land tracts from agricultural to non-agricultural needs shall be effected under the terms and according to the procedure established by the Agricultural Land Conservation Act.

Article 29. (1) (Amended, SG No. 62/2010, supplemented, SG No. 80/2025, effective 30.09.2025) After obtaining written consent from the authorities and persons referred to in Article 22a (1) or (10) of the IPA, the relevant competent authority shall empower officials to conduct negotiations with the investor on the conclusion of a contract with the investor for sale or onerous creation of a limited right in rem to a corporeal immovable.

(2) Upon conduct of the negotiations, the relevant competent authority may require in writing from the investor additional information in connection with the application of the measure referred to in Article 22a of the IPA, allowing a suitable time limit for provision of the said additional information.

(3) (New, SG No. 62/2010) The authority or person referred to in Paragraph (1) may commission an assessment of the adequacy of the size of the immovable necessary for the performance of the investment project, according to Article 22a (2) of the IPA.

Article 30. (1) (Redesignated from Article 30, SG No. 62/2010, supplemented, SG No. 80/2025, effective 30.09.2025) The corporeal immovable or the limited right in rem shall be appraised and the lease price in the cases of Item 5 of Article 22a (1) and Article 22 (11) of the IPA shall be set complying with the following requirements:

1. prior to commencement of the negotiations referred to in Article 29 (1) herein, the procedure referred to in Article 22a (2) of the IPA shall be applied for the purpose of arriving at a market price based on generally accepted market benchmarks and standards for the appraisals, which shall be considered a minimum purchase price;

2. (Amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013) the procedure referred to in Article 22a (2), Item 3 of Article 22h (3) and Item 5 of Article 22i of the IPA shall be applied by independent appraisers having at least three years of professional experience in valuation of corporeal immovables.

(2) (New, SG No. 62/2010, amended, SG No. 88/2015, effective 13.11.2015, SG No. 41/2018, effective 18.05.2018) Where immovables are transferred or [rights] are created at prices lower than the market prices for the purpose of promoting priority investment projects:

1. the appraisal referred to in Paragraph (1): shall include the difference between the market price and the selling price, where the latter shall not be lower than the tax assessment of the immovable; the market appraisal and the tax assessment of the immovable must be valid as at the date of effecting of the disposal transaction in the immovable under Article 1 herein;

2. the difference arrived at under Item 1 shall be the gross grant equivalent of State aid for meeting the requirements for granting regional investment aid under Article 53 herein and shall be incorporated in the contract under Article 31 (1);

3. the aid shall be considered as transparent within the meaning of Article 5, paragraph 2, letter (k) of Regulation (EU) No. 651/2014 of 17 June 2014.

(3) (New, SG No. 62/2010) An appraisal by an independent appraiser shall be conducted in the cases of application of the measure of letting out [immovables] under Article 22a (11) of the IPA for priority investment projects.

Article 30a. (New, SG No. 95/2020, effective 6.11.2020, amended, SG No. 80/2025, effective 30.09.2025) An acquisition of rights in rem to immovables at market prices under Article 22a (1) and Item 1 of Article 22a (10) of the IPA and lease under Item 5 of Article 22a (1) and Article 22a (11) of the IPA, including for priority investment projects, shall not constitute State aid where the conditions under Article 28, Article 29 and Article 30 (1) and (3) herein are fulfilled.

Article 31. (1) A contract for sale or onerous creation of a limited right in rem to a corporeal immovable under Article 22a of the IPA and the performance of the investment project shall be concluded between:

1. (amended, SG No. 80/2025, effective 30.09.2025) the investor and/or the persons referred to in Article 17 of the IPA, of the one part, and
2. (amended, SG No. 62/2010) the relevant competent authority referred to in Article 22a (1) or (10) of the IPA, and
3. (repealed, SG No. 20/2009, effective 17.03.2009).

(2) (Amended, SG No. 62/2010, supplemented, SG No. 88/2015, effective 13.11.2015, amended, SG No. 95/2020, effective 6.11.2020) The contract referred to in Paragraph (1) shall contain all requirements of the IPA with regard to the investment project and the investor, as well as the conditions and requirements for the granting of State aid under the regional investment aid scheme:

1. subject matter of the contract;
2. contracting parties;
3. title of the investment project;
4. principal rights and obligations;
5. (supplemented, SG No. 80/2025, effective 30.09.2025) type and amount of the investment under the investment project;
6. time limit for performance of the investment project and period for maintenance of the investment under Item 8 of Article 12 (2) of the IPA;
7. description of the immovable subject to the sale or to the creation of a limited right in rem, according to the requirements of the Cadastre and Property Register Act;
8. price of the immovable or of the limited right in rem, and in the cases of sale at a price lower than the market price for priority investment projects, the difference, arrived at in accordance with Article 30 (2) herein, shall be mandatorily identified as State aid under the regional investment aid scheme;
9. time limit and conditions for transfer of the immovable or for creation of the right in rem;
10. prohibition to dispose of and to encumber the immovable with charges, as well as to transfer the limited right in rem to the corporeal immovable to another person in accordance with Article 22a (7) of the IPA;
11. (amended, SG No. 80/2025, effective 30.09.2025) type and amount of the collateral;
12. (amended, SG No. 88/2015, effective 13.11.2015, repealed, renumbered from Item 13, SG No. 80/2025, effective 30.09.2025) manner and time limit for reporting the execution of the investment project, taking into account the eligible costs of the investments under Article 54 herein;
13. (renumbered from Item 14, SG No. 80/2025, effective 30.09.2025) type and extent of the liability incurrable for non-fulfilment of the obligations under the contract;
14. (renumbered from Item 15, SG No. 80/2025, effective 30.09.2025) control over the fulfilment of the obligations by the parties;
15. (renumbered from Item 16, SG No. 80/2025, effective 30.09.2025) methods of settlement of disputes between the parties;
16. (amended, SG No. 24/2013, effective 12.03.2013, renumbered from Item 17, SG No. 80/2025, effective 30.09.2025) grounds for early termination or rescission of the contract, including under the terms established by Article 22a (3) and (13) of the IPA or upon ascertainment of arrears within the

meaning given by Item 5 of Article 16 (1) of the IPA, unless the payments due are paid within a time limit suitable for the parties, as well as the rights of the party not at fault;

17. (renumbered from Item 18, SG No. 80/2025, effective 30.09.2025) other elements on which the parties have reached agreement.

18. (amended, SG No. 88/2015, effective 13.11.2015, renumbered from Item 19, amended, SG No. 80/2025, effective 30.09.2025) the amount of stamp duties due upon alteration of the assigned use of the land from agricultural to non-agricultural needs which will not be paid, the said amount constituting a gross grant equivalent of the aid for the implementation of priority investment projects under Article 22a (12) of the IPA, as well as the beneficiary of State aid under the regional investment aid scheme;

19. (new, SG No. 82/2022, effective 14.10.2022, renumbered from Item 20, SG No. 80/2025, effective 30.09.2025) the circumstances referred to in Article 28 (4) herein;

20. (new, SG No. 82/2022, effective 14.10.2022, renumbered from Item 21, SG No. 80/2025, effective 30.09.2025) an explicit indication that the authority disposing of the corporeal immovable or the limited right in rem is the aid administrator and that the date of conclusion of the contract is the date of granting of the aid, in the cases of State aid under Article 22a (9) and Item 2 of Article 22a (10) of the IPA.

(3) The investment project shall constitute an integral part of the contract referred to in Paragraph (1).

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

(5) The costs of the sale of the corporeal immovable or of the creation of the limited right in rem shall be for the account of the investor.

(6) (Amended, SG No. 62/2010, SG No. 80/2025, effective 30.09.2025) The collateral shall apply to the period referred to in Item 4 of Article 12 (2) of the IPA. After the reporting of the execution of the investment project with regard to commissioned assets and/or appointed employees, for the period for maintenance of the investment under Item 8 of Article 12 (2) of the IPA, the authority referred to in Item 2 of Article 31 (1) herein may agree on the furnishing of collateral of a type other than the type agreed for the period of execution of the investment, in accordance with the requirements of Article 22a (7) of the IPA.

(7) (New, SG No. 62/2010, supplemented, SG No. 88/2015, effective 13.11.2015, amended, SG No. 82/2022, effective 14.10.2022, SG No. 80/2025, effective 30.09.2025) The draft contract referred to in Paragraph (1) shall be submitted to the Ministry of Innovation and Growth for an opinion regarding the conformity with the promotion measure applied for upon the certification and the fulfilment of the requirements of Article 22a (3) and (13) of the IPA.

(8) (New, SG No. 62/2010, amended, SG No. 82/2022, effective 14.10.2022, SG No. 80/2025, effective 30.09.2025) The appraisal referred to in Article 30 herein and the draft contract, cleared according to the procedure established in Paragraph (7), shall be submitted in order to obtain consent under Item 1 of Article 22a (1) of the IPA. The pronouncement under Article 22a (10) of the IPA shall be based on all documents and evidence required to verify the fulfilment of the requirements where the regional investment aid scheme is applied to priority investment projects.

(9) (New, SG No. 62/2010, supplemented, SG No. 88/2015, effective 13.11.2015) The competent authority under Paragraph (1) granting regional investment aid for priority investment projects shall perform the statutory functions of an aid administrator according to the procedure established by the State Aids Act and the Regulations for Application thereof.

(10) (New, SG No. 2/2014, amended, SG No. 80/2025, effective 30.09.2025) In cases where the immovable is transferred by public enterprises or by commercial corporations whereof the capital is owned by public enterprises whose core objects are related to attracting investments, the furnishing of another type of equivalent collateral may be agreed in the contract referred to in Item 11 of Paragraph (2), exercising due commercial care.

(11) (New, SG No. 82/2022, effective 14.10.2022) The Ministry of Innovation and Growth shall send a copy of the draft contract referred to in Paragraph (1) and the opinion referred to in

Paragraph (7) to the Agency for monitoring compliance with the statutory requirements upon conclusion of the contract.

(12) (New, SG No. 82/2022, effective 14.10.2022) The relevant competent authority under Paragraph (1) shall send a copy of the contract to the Agency within seven days of the conclusion of the said contact according to Article 22a (5) of the IPA.

Article 31a. (New, SG No. 62/2010) (1) (Previous text of Article 31a, SG No. 82/2022, effective 14.10.2022) For letting out of corporeal immovables by wholly State-owned or municipal-owned corporations under Article 22a (11) of the IPA for the performance of a priority investment project, a contract shall be concluded in accordance with the effective legislation by and between:

1. (amended, SG No. 80/2025, effective 30.09.2025) the investor and/or the persons referred to in Article 17 of the IPA, implementing a priority project, of the one part, and
2. the persons representing the corporation.

(2) (New, SG No. 82/2022, effective 14.10.2022) The relevant competent authority under Paragraph (1) shall send a copy of the contract to the Agency within seven days of the conclusion of the said contact according to Article 22a (5) of the IPA.

Article 31b. (New, SG No. 80/2025, effective 30.09.2025) (1) For lease of 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, a contract shall be concluded under Item 5 of Article 22a (1) [of the IPA] for the execution of the investment project by and between:

1. the investor and/or the persons referred to in Article 17 of the IPA, of the one part, and
2. the relevant competent authority.

(2) The contract referred to in Paragraph (1) shall contain all requirements of the IPA regarding the investment project and the investor:

1. subject matter of the contract;
  2. contracting parties;
  3. title of the investment project;
  4. principal rights and obligations;
  5. type and amount of the investment under the investment project;
  6. time limit for execution of the investment project and period for maintenance of the investment under Item 8 of Article 12 (2) of the IPA;
  7. description of the immovable subject to the lease according to the requirements of the Cadastre and Property Register Act;
  8. lease price for the immovable;
  9. manner and time limit of reporting the execution of the investment project, taking into account the eligible costs of the investments under Article 54 herein;
  10. type and extent of the liability incurrable for non-fulfilment of the obligations under the contract;
  11. control over the fulfilment of the obligations by the parties;
  12. methods of settlement of disputes between the parties;
  13. grounds for early termination or rescission of the contract, including under the terms established by Article 22a (3) of the IPA or upon ascertainment of arrears within the meaning given by Item 5 of Article 16 (1) of the IPA, unless the payments due are paid within a time limit suitable for the parties, as well as the rights of the party not at fault;
  14. other elements on which the parties have reached agreement;
  15. the amount of stamp duties due upon alteration of the assigned use of the land from agricultural to non-agricultural needs which will not be paid, the said amount constituting a gross grant equivalent of the aid for the implementation of priority investment projects under Article 22a (12) of the IPA, as well as the beneficiary of State aid under the regional investment aid scheme.
- (3) The investment project shall constitute an integral part of the contract referred to in Paragraph (1).

- (4) The contract referred to in Paragraph (1) shall be concluded in writing and shall be recorded by order of the recording magistrate exercising jurisdiction over the location of the immovable.
- (5) The relevant competent authority under Paragraph (1) shall send a copy of the contract to the Agency within seven days of the conclusion of the said contract according to Article 22a (5) of the IPA.

Article 32. (1) Upon the sale or creation of a limited right in rem to a corporeal immovable by the contract referred to in Article 31 (1) herein, special obligations in the public interest may be stipulated in connection with the land and the buildings but not in connection with the buyer or with the commercial activity thereof, provided that each potential buyer is required to be in a position to fulfil the special obligations, regardless of whether the said buyer carries out any activity or regardless of the nature of the said activity.

(2) The resources necessary for fulfilment of the obligations of the owner of the corporeal immovable arising from a law shall not be deducted from the selling price (such as: care of the land and the buildings and maintenance of the said land and buildings as part of the customary social obligations of the owners, payment of taxes and other such expenditures).

Article 33. (1) (Amended, SG No. 88/2015, effective 13.11.2015) Where the conditions established by this Chapter are absent, the competent local executive authorities shall notify the European Commission, subject to compliance with the procedures set out in the State Aids Act, of the intention thereof to transfer the right of ownership or to create the limited right in rem.

(2) The notification referred to in Paragraph (1) shall be effected according to the procedure established by the State Aids Act.

(3) (New, SG No. 88/2015, effective 13.11.2015) Until issuance of a positive decision by the European Commission transfer of the right of ownership or for establishment of the limited right in rem, as well as commencing works on the investment project shall not be admissible and shall constitute grounds for breaking the contract.

Article 33a. (New, SG No. 24/2013, effective 12.03.2013) (1) (Supplemented, SG No. 36/2014, effective 25.04.2014) The ordinance referred to in Article 22h (1) of the IPA on promotion of investments of municipal importance and issuing of Class C certificates under Article 22h of the IPA shall include provisions on the application of the promotion measure referred to in Item 3 of Article 22h (3) of the IPA on 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 and 4 of Article 22a (1) of the IPA in conformity with the terms established by Article 22a (2) to (8) and (13) of the IPA.

(2) (Amended, SG No. 36/2014, effective 25.04.2014) The measure referred to in Item 3 of Article 22h (3) of the IPA shall be applicable solely where not applied for by an investor according to the procedure established by Article 18 (1) of the IPA upon the issuing of a Class A or Class B investment certificate or a priority investment project certificate for the same immovable constituting private municipal property.

(3) (Supplemented, SG No. 36/2014, effective 25.04.2014) The rights to the immovables under Item 3 of Article 22h (3) of the IPA may be transferred or created solely if the amount of the investment under Article 22h of the IPA planned as costs of acquisition of tangible fixed assets is more than quintuple the market appraisal of the immovable under Item 2 of Article 30 (1) herein. Non-fulfilment of this requirement shall be included in the respective contract with the investor as grounds for the rescission of the said contract.

(4) The ordinance referred to in Article 22h (1) of the IPA shall introduce conditions for the application of the measure referred to in Item 3 of Article 22h (3) of the IPA in accordance with the terms established under this Chapter.

(5) The measure referred to in Item 3 of Article 22h (3) of the IPA shall be applied in conformity with the regulatory framework in the State aid field.

(6) (New, SG No. 88/2015, effective 13.11.2015, amended, SG No. 95/2020, effective 6.11.2020) Investments of municipal importance and Class B certificate shall not be promoted according to the procedure established by Chapter Six and Chapter Seven "a" herein.

## **Chapter Five**

**(Effective until 31.12.2013, SG No. 20/2009 - amended, SG No. 2/2014)**

# **FINANCIAL SUPPORT FOR CONSTRUCTION OF PHYSICAL-INFRASTRUCTURE ELEMENTS**

Article 34. (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The Minister of Innovation and Growth shall lay before the Council of Ministers a motion for promotion of one or more investment projects by the measure referred to in Article 22b of the IPA if the following conditions apply:

1. (amended, SG No. 62/2010, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) a request has been received at the Ministry of Innovation and Growth in one of the manners specified in Article 7 (1) from:

(a) an investor whereto a Class A investment certificate has been issued, or

(b) (supplemented, SG No. 62/2010, repealed, renumbered from Littera (c), SG No. 80/2025, effective 30.09.2025) an investor implementing a priority investment project under Chapter Eight of these Regulations;

(c) (amended, SG No. 80/2025, effective 30.09.2025) an industrial zone or a technology park certified under the terms established by Article 22f of the IPA as priority investment projects;

(d) (new, SG No. 80/2025, effective 30.09.2025) an industrial park entered in the register of industrial parks and certified as a priority investment project under Item 1 of Article 22f (2) of the IPA;

2. (supplemented, SG No. 62/2010) presentation of a design (conceptual, schematic or working), approved by the owner of the physical infrastructure and a contracting authority under the Public Procurement Act, has been presented with a bill of quantities for construction of the physical-infrastructure elements which, according to the requirements of Article 142 of the Spatial Development Act, may serve for the issuing of a building permit and for the award of a construction work under the Public Procurement Act;

3. (supplemented, SG No. 20/2009, effective 17.03.2009, SG No. 62/2010, amended, SG No. 24/2013, effective 12.03.2013, SG No. 16/2014, effective 25.04.2014, amended and supplemented, SG No. 95/2020, effective 6.11.2020, amended, SG No. 43/2022, effective 10.06.2022, SG No. 80/2025, effective 30.09.2025) presented documents referred to in Item 4 of Article 16 (1) of the IPA, if applicable, the documents referred to in Item 5 of Article 16 (1) of the IPA, the documents referred to in Article 17, where applicable, and a declaration in a standard form endorsed by the Minister of Innovation and Growth on the State aid received during the last three years including the current year by the investor or the persons referred to in Article 17 of the IPA, in cases other than those referred to in Article 36 herein;

4. (supplemented, SG No. 20/2009, effective 17.03.2009) an investment project has been approved for promotion after conduct of a competitive procedure under Article 35 herein, where applicable;

5. the conditions covered under Articles 36 to 38 herein have been verified.

Article 35. (1) The competitive procedure shall be conducted for evaluation and selection of investment projects for promotion on the basis of the documents covered under Items 1 to 3 of Article 34 herein.

(2) (Amended, SG No. 62/2010) The evaluation referred to in Paragraph (1) shall be performed at the beginning of each quarter in four sessions during a calendar year until depletion of the funds under the IPA envisaged by the State Budget of the Republic of Bulgaria Act for the relevant year.

(3) (Amended, SG No. 62/2010) The remainder of the resources planned under Paragraph (2) shall be taken into consideration for each session of the evaluation after deduction of the resources under contracts concluded or Council of Ministers decisions on projects which are to be financed during the current year.

(4) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The competitive procedure shall be conducted on the basis of a methodology for performance of the evaluation, endorsed by the Minister of Innovation and Growth and made publicly available on the Internet site of the Ministry of Innovation and Growth.

(5) The evaluation shall be performed on the basis of the following criteria and priorities:

1. amount of investments under the investment project to be implemented within a three-year period;

2. (amended, SG No. 20/2009, effective 17.03.2009) amount of State resources for construction of the physical infrastructure according to the design referred to in Item 2 of Article 34 herein;

3. implementation of investments in high technology production and services covered under Article 3 (5) and (6) herein;

4. implementation of investments in municipalities referred to in Article 3 (2) herein.

(6) The requests for promotion shall be ranked on the basis of the criteria and priorities covered under Paragraph (5).

(7) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The Minister of Innovation and Growth shall lay before the Council of Ministers a motion according to the procedure established by Article 34 herein observing the order of the ranking, and the total amount of the requests must be within the limits of the resources provided for under Paragraph (3).

(8) (Amended, SG No. 62/2010) The motions which have dropped out of the ranking under Paragraph (7) shall be included in the next succeeding evaluation session, but may not be included in more than six such sessions.

(9) The motion shall be laid before the Council of Ministers according to the procedure established by Article 34 herein, without applying the procedure for selection and ranking solely in the cases where the total amount of all requests received is up to the amount of the resources under Paragraph (3).

(10) (Supplemented, SG No. 62/2010, amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The evaluation and ranking of the requests shall be performed by officials empowered by the Minister of Innovation and Growth and/or by an organisational structure according to the Structural Regulations of the Ministry of Innovation and Growth.

Article 36. (Amended, SG No. 20/2009, effective 17.03.2009) (1) (Amended, SG No. 41/2018, effective 18.05.2018) Financial support shall not constitute State aid for an enterprise within the meaning given by Item 7 of § 1 of the Supplementary Provision of the State Aid Act in case the following conditions are simultaneously fulfilled:

1. (supplemented, SG No. 88/2015, effective 13.11.2015) the financial support is intended for construction of elements of public (State or municipal) physical infrastructure which is not used (or operated) for business purposes and which is up to the boundaries of the immovable in which the investment is implemented;

2. (amended, SG No. 62/2010) the funds are granted to an executive authority, a public undertaking or a trader in its capacity of owner of the infrastructure referred to in Item 1, which is a contracting authority according to the procedure established by Article 7 of the Public Procurement Act for the design and construction of the infrastructure;

3. (amended, SG No. 62/2010, SG No. 24/2013, effective 12.03.2013) the public procurements are awarded according to the procedure established by the Public Procurement Act;

4. (supplemented, SG No. 95/2020, effective 6.11.2020) the infrastructure is used not only by the person referred to in Item 1 of Article 34 herein but also by all existing and potential users on equal and non-discriminatory terms and the infrastructure is not a dedicated infrastructure within the meaning given by Article 2, point 33 of Regulation (EU) No. 651/2014.

(2) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) In case of fulfilment of the conditions covered under Paragraph (1), the Minister of Innovation and Growth shall lay the motion referred to in Article 34 herein before the Council of Ministers.

(3) (New, SG No. 41/2018, effective 18.05.2018) With exception of the cases referred to in items 1 - 4 of paragraph 1 financial assistance does not constitute State aid and, where provided in accordance with other provisions of European legislation.

Article 36a. (New, SG No. 80/2025, effective 30.09.2025) (1) The maximum amount of the resources for financial support of the construction of physical-infrastructure elements in cases where the said resources do not constitute State aid shall be as follows:

1. for investment projects with a Class A investment certificate, the resources applied for construction of the physical infrastructure according to a bill of quantities provided by the owner may not exceed 30 per cent of the amount of the investment;

2. for investment projects which have been awarded a priority investment project certificate, the resources applied for construction of the physical infrastructure according to a bill of quantities provided by the owner shall not exceed:

(a) in the cases referred to in Article 63 (1) of these Regulations: 5 per cent of the amount of the investment;

(b) in the manufacturing industry and within the administrative boundaries of municipalities having a rate of unemployment for the year preceding the current year which was equal to or higher than the national average: 10 per cent of the amount of the investment;

(c) in high-technology production: 10 per cent of the amount of the investment;

(d) in high-technology services: 20 per cent of the amount of the investment;

(e) for industrial zones and technology parks: 30 per cent of the amount of the investment;

(f) for industrial parks: 30 per cent of the amount of the investment;

(g) for strategic installations relevant to national security: 10 per cent of the amount of the investment.

(2) In cases where the resources for construction of the physical infrastructure exceed the value of the resources for financial support under Paragraph (1) according to a bill of quantities as presented, the owner of the physical infrastructure may self-finance the shortfall of resources for the construction of the said infrastructure, producing evidence of available resources for the relevant budget year during which the physical-infrastructure elements will go under construction. The circumstances under Paragraph (2) shall be included in the contracts referred to in Article 41 herein.

Article 37. (1) (Amended and supplemented, SG No. 20/2009, effective 17.03.2009, amended, SG No. 24/2013, effective 12.03.2013, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 88/2015, effective 13.11.2015, SG No. 43/2022, effective 10.06.2022, SG No. 80/2025, effective 30.09.2025) Where the conditions under Article 36 herein are absent, the Minister of Innovation and Growth or an official empowered thereby shall assess the conformity of each ranked project for financial support for the construction of infrastructure with the requirements of Regulation (EU) No. 2023/2831.

(2) (Amended, SG No. 20/2009, effective 17.03.2009, SG No. 24/2013, effective 12.03.2013, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 88/2015, effective 13.11.2015, SG No. 43/2022, effective 10.06.2022, SG No. 59/2025, effective 22.07.2025, SG No. 80/2025, effective 30.09.2025) In cases where the value of the financial support provided in the Republic of Bulgaria for a single undertaking does not exceed EUR 300,000 for a period of three years and the support fulfils all conditions of the Regulation referred to in Paragraph (1), the Minister of Innovation and Growth shall lay the proposal under Article 34 herein before the Council of Ministers.

Article 38. (Amended, SG No. 20/2009, effective 17.03.2009, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 88/2015, effective 13.11.2015) (1) (Amended, SG No. 43/2022, effective 10.06.2022) Where the conditions under Articles 36 and 37 herein do not apply, the Minister of Innovation and Growth may grant State aid for construction of infrastructure in the form of ad hoc aid in accordance with the conditions of Regulation (EU) No. 651/2014.

(2) The aid referred to in Paragraph (1) shall be provided in compliance with the State Aids Act and the conditions for the aid shall be individualised in the act of granting it thereof.

Article 39. (1) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 41/2018, effective 18.05.2018, SG No. 43/2022, effective 10.06.2022) Where the conditions under Articles 36 to 38 herein do not apply, the Minister of Innovation and Growth or an official empowered thereby shall prepare the information necessary for notification to the European Commission of the intention to allocate financial support for construction of physical-infrastructure elements according to the procedure established by Article 22 of the State Aid Act.

(2) (Amended, SG No. 88/2015, effective 13.11.2015) Until issuance of a positive decision of the European Commission, the resources for financial support for construction of physical-infrastructure elements shall not be provided and work on the investment project shall not start.

Article 40. (Amended, SG No. 62/2010) (1) (Amended, SG No. 24/2013, effective 12.03.2013) Resources for financial support for construction of physical infrastructure under Article 22b of the IPA shall be allocated according to Article 15 (5) of the IPA on the basis of the contracts referred to in Article 41 herein as approved by the Council of Ministers.

(2) (Amended, SG No. 88/2015, effective 13.11.2015) In case the circumstances under Article 39 herein apply, the decree shall be adopted and the resources under Paragraph (1) shall be allocated after issuance of a positive decision of the European Commission on the provision of the financial support and provided that work on the investment project has not commenced before issuing the decision.

(3) (Amended, SG No. 95/2020, effective 6.11.2020, SG No. 82/2022, effective 14.10.2022, SG No. 80/2025, effective 30.09.2025) The request for application of the measure referred to in Paragraph (1) shall be submitted when not less than 50 per cent of the threshold amount of the investment set for the issuing of the relevant investment class certificate has been executed and up to the third year from the start of works/activity on the investment project.

(4) (Amended, SG No. 41/2018, effective 18.05.2018, SG No. 80/2025, effective 30.09.2025) The resources for financial support for construction of physical infrastructure under Article 22b of the IPA shall be allocated up to the amount of the resources applied for upon the certification of the investment project.

Article 40a. (New, SG No. 80/2025, effective 30.09.2025) (1) In case the circumstances under Article 36 herein exist, the owner of the public physical infrastructure may perform the construction of the infrastructure for its own account according to a pre-approved design (conceptual, schematic or working) and a bill of quantities for construction of the physical-infrastructure elements.

(2) In the cases of Paragraph (1), a request shall be submitted and a contract approved by the Council of Ministers shall be concluded with the investor and the owner of the infrastructure for provision of financial support under Article 22b of the IPA before reaching 50 per cent of the threshold amount of the investment set for the issuing of the respective investment class certificate and not later than the third year from the start of works on the investment project.

(3) The resources shall be reimbursed to the owner of the physical infrastructure within 90 days after the presentation of the requisite cost supporting documents under the contract as approved and provided that the investor has confirmed the execution of not less than 50 per cent of the threshold amount of the investment set for the issuing of the respective investment class certificate not later than the third year from the start of works on the investment project.

Article 41. (1) (Supplemented, SG No. 62/2010, amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The Council of Ministers shall

adopt a decision approving the draft contracts and authorising the Minister of Innovation and Growth to conclude contracts:

1. (amended, SG No. 80/2025, effective 30.09.2025) with the investor and/or the persons/the combination referred to in Article 17 of the IPA, as well as

2. (amended, SG No. 24/2013, effective 12.03.2013, amended and supplemented, SG No. 80/2025, effective 30.09.2025) with the person who awards the designing, construction and construction supervision of the physical-infrastructure elements related to the implementation of the investment project up to the boundaries of the immovable according to the procedure established by the Public Procurement Act.

(2) (Amended, SG No. 80/2025, effective 30.09.2025) By the contract referred to in Item 1 of Paragraph (1), the investor shall undertake to execute the investment project, and the State shall undertake to provide resources for the designing and construction of physical-infrastructure elements from the nearest existing element to the boundaries of the immovable according to the design referred to in Item 2 of Article 34 herein, as well as for construction supervision.

(3) The contract referred to in Item 1 of Paragraph (1) shall mandatorily contain:

1. subject matter of the contract;

2. contracting parties;

3. title of the investment project;

4. principal rights and obligations;

5. type and amount of the investment;

6. time limit for performance of the investment project and period for maintenance of the investment;

7. description of the infrastructure elements with characteristics and parameters;

8. time limit for construction of the infrastructure, disaggregated by stage, and provision of the resources;

9. type and amount of the security to be furnished for fulfilment of the obligations under the contract;

10. manner of reporting the performance of the investment project;

11. type and amount of the liability incurrable for non-fulfilment of the obligations under the contract;

12. control over the fulfilment of the obligations by the parties;

13. methods of settlement of disputes between the parties;

14. (supplemented, SG No. 24/2013, effective 12.03.2013) grounds for early termination or rescission of the contract and rights of the party not at fault;

15. other elements on which the parties have reached agreement;

16. (new, SG No. 82/2022, effective 14.10.2022) in cases where State aid is granted: an explicit indication that the Minister of Innovation and Growth is the authority granting the aid and that the effective date of the contract is the date of granting of the aid and what is required under Article 16 (1) of the State Aids Act.

(4) The investment project shall constitute an integral part of the contract referred to in Item 1 of Paragraph (1).

(5) (Amended, SG No. 24/2013, effective 12.03.2013) By the contract referred to in Item 2 of Paragraph (1), the relevant person shall undertake to ensure the designing and construction of the physical-infrastructure elements, as specified between the parties in the contract referred to in Item 1 of Paragraph (1), through conduct of procedures according to the procedure established by the Public Procurement Act.

(6) The contract referred to in Item 2 of Paragraph (1) shall mandatorily contain:

1. subject matter of the contract;

2. time limit for execution of the infrastructure facility;

3. stages of construction of the facility and pecuniary resources projected for each stage;

4. principal rights and obligations;

- (a) (new, SG No. 80/2025, effective 30.09.2025) the obligation of the person who awards the construction of the infrastructure according to the procedure established by the Public Procurement Act to invest own resources when the resources provided by the contract are insufficient for the completion of the work;
- (b) (new, SG No. 80/2025, effective 30.09.2025) an inflation-related upward modification of the price of a public procurement contract within the meaning given by Article 117a of the Public Procurement Act is inadmissible for financing according to the procedure established by the IPA and the Regulations for Application of the Investment Promotion Act;
5. (repealed, SG No. 80/2025, effective 30.09.2025);
6. type and amount of the liability incurrable for non-fulfilment of the obligations under the contract;
7. control over the fulfilment of the obligations by the parties;
8. methods of settlement of disputes between the parties;
9. (supplemented, SG No. 24/2013, effective 12.03.2013) grounds for early termination or rescission of the contract and rights of the party not at fault;
10. other elements on which the parties have reached agreement.
- (7) The design referred to in Item 2 of Article 34 herein shall constitute an integral part of the contract referred to in Item 2 of Paragraph (1).
- (8) The contracts covered under Paragraph (1) shall enter into force after a positive decision of the European Commission on provision of the financial support, if the circumstances under Article 39 herein apply.
- (9) (New, SG No. 62/2010, amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) Standard forms of contracts covered under Paragraph (1) shall be made publicly available on the Internet site of the Ministry of Innovation and Growth on the basis of contracts for allocation of resources approved by the Council of Ministers.

## **Chapter Six**

**(Effective until 30.06.2014, SG No. 20/2009 - amended, SG No. 2/2014)**

### **FINANCIAL SUPPORT FOR TRAINING**

**(Heading amended, SG No. 80/2025, effective 30.09.2025)**

#### **Section I**

#### **Motion to Allocate Resources for Training**

Article 42. (1) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The Minister of Innovation and Growth shall lay before the Council of Ministers a motion to promote an investment project by the measure referred to in Article 22c of the IPA if the following conditions apply:

1. (amended, SG No. 62/2010, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) a request has been received at the Ministry of Innovation and Growth from an investor whereto a Class A or Class B investment certificate or a priority investment project certificate has been issued;
2. there is an investment project which:
  - (a) is performed in the high technology activities covered under Article 3 (5) or (6) herein, or
  - (b) is implemented in the municipalities referred to in Article 3 (2) herein, and
  - (c) satisfies the rest of the requirements under Article 22c (1) of the IPA;
3. (supplemented, SG No. 20/2009, effective 17.03.2009, amended, SG No. 24/2013, effective 12.03.2013, SG No. 88/2015, effective 13.11.2015) presentation of a training project, including

information about the incentive effect of the measure within the meaning given by Article 6 of Regulation (EU) No. 651/2014;

4. (supplemented, SG No. 20/2009, effective 17.03.2009, amended, SG No. 24/2013, effective 12.03.2013, SG No. 36/2014, effective 25.04.2014, amended and supplemented, SG No. 95/2020, effective 6.11.2020, amended, SG No. 43/2022, effective 10.06.2022, SG No. 80/2025, effective 30.09.2025) presentation of the documents referred to in Item 4 of Article 16, if applicable, and in Item 5 of Article 16 of the IPA, documents referred to in Article 17 of the IPA, and a declaration in a standard form endorsed by the Minister of Innovation and Growth on State aid received during the last three years including the current year by the investor or by the persons referred to in Article 17 of the IPA;

5. (supplemented, SG No. 20/2009, effective 17.03.2009) an investment project has been approved for promotion after conduct of a competitive procedure according to the procedure established by Article 43 herein, where applicable.

6. (new, SG No. 20/2009, effective 17.03.2009) the conditions covered under Section II or III of this Chapter have been verified.

(2) The training project referred to in Item 3 of Paragraph (1) must satisfy the following requirements:

1. (amended, SG No. 62/2010, SG No. 88/2015, effective 13.11.2015, SG No. 80/2025, effective 30.09.2025) under Article 22c (1) of the IPA for training of not fewer than 30 persons, who have occupied the new jobs created upon the implementation of the investment project;

2. (repealed, SG No. 24/2013, effective 12.03.2013);

3. under Article 44 herein.

Article 43. (1) The competitive procedure for evaluation and selection of investment projects for promotion by the measure referred to in Article 22c of the IPA shall be conducted on the basis of the documents covered under Items 1 to 4 of Article 42 (1) herein.

(2) The evaluation shall be performed according to the procedure established by Article 35 herein.

(3) The evaluation shall be performed on the basis of the following criteria:

1. amount of investments under the investment project to be implemented within a three-year period;

2. amount of State resources for performance of the training project referred to in Item 3 of Article 42 (1) herein;

3. (amended, SG No. 62/2010, SG No. 62/2013, effective 3.07.2013, repealed, SG No. 80/2025, effective 30.09.2025).

(4) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The Minister of Innovation and Growth shall lay a motion before the Council of Ministers according to the procedure established by Article 42 herein observing the order of the ranking, and the total amount of the requests must be within the limits of the resources provided for under Article 35 (3) herein.

Article 44. (Amended, SG No. 62/2010, SG No. 88/2015, effective 13.11.2015, SG No. 80/2025, effective 30.09.2025) The training project referred to in Item 3 of Article 42 (1) and Article 42 (2) herein, applying for financial support for training, shall relate to training within the meaning given by Article 31 of Regulation (EU) No. 651/2014 and shall contain information on:

1. the purpose and period of training, including expected start and end dates (month, year) of the training;

2. form of organisation and place of delivery of the training;

3. (amended, SG No. 80/2025, effective 30.09.2025) detailed plan, including topics and number of hours;

4. number of factory/office workers: total and disaggregated by principal group of occupations and positions;

5. training organisation or independent training by the investor;

6. estimate of planned project costs: total and disaggregated by year;

7. (repealed, SG No. 80/2025, effective 30.09.2025).

Article 45. (Amended, SG No. 20/2009, effective 17.03.2009, SG No. 62/2010, SG No. 62/2013, effective 3.07.2013, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 88/2015, effective 13.11.2015, SG No. 43/2022, effective 10.06.2022, SG No. 82/2022, effective 14.10.2022, repealed, SG No. 80/2025, effective 30.09.2025).

## **Section II**

### **Conditions for Exemption from Prior Notification of European Commission when Granting Training Aid (Heading amended, SG No. 20/2009, effective 17.03.2009, SG No. 80/2025, effective 30.09.2025)**

Article 45a. (New, SG No. 20/2009, effective 17.03.2009) (1) (Amended, SG No. 88/2015, effective 13.11.2015) Any individual aid granted under a training aid scheme, which fulfils all conditions of Chapter I and Chapter III, Section V of Regulation (EU) No. 651/2014 shall be compatible with the internal 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 under Article 108 (3) of the Treaty on the Functioning of the European Union.

(2) (Amended, SG No. 88/2015, effective 13.11.2015) Any individual aid measure granted under Regulation (EU) No. 651/2014 should contain an express reference to the specific provisions of Chapter III of Regulation (EU) No. 651/2014 and to the national legislation on which the individual aid is based and shall be cited in the relevant act for granting the aid under Article 49 herein and in the contract with the beneficiary of the aid under Article 50 (2) herein.

(3) (Amended, SG No. 88/2015, effective 13.11.2015) No aid may be renegotiated and the amount of the aid granted may not be increased respectively where this has been laid down in the relevant act for granting the aid and/or in the contract with the grant beneficiary.

(4) (New, SG No. 82/2022, effective 14.10.2022, amended, SG No. 80/2025, effective 30.09.2025) Modifications in the contracts shall only be admissible if the said modifications do not affect the statutory requirements for certification of the project and for granting of the aid and fulfil one or several of the following conditions: the said modifications are related to circumstances which arose after the start of works on the project; the said modifications are intended to keep the parties interested in a successful performance of the contract as concluded; the said modification may lead, where applicable, only to a proportional reduction of the aid.

Article 46. (1) Amended, SG No. 20/2009, effective 17.03.2009, supplemented, SG No. 62/2010, amended, SG No. 88/2015, effective 13.11.2015, amended and supplemented, SG No. 41/2018, effective 18.05.2018, amended, SG No. 82/2022, effective 14.10.2022) The resources for financial support shall be allocated to cover the following eligible costs of the training project while avoiding duplication of costs:

1. trainers' personnel costs for the hours during which the trainers participate in the training;
2. trainers' operating costs directly relating to the training project such as travel expenses and accommodation costs, up to amounts provided for in the ordinances and the relevant national rules on secondment or a participation fee paid by the beneficiary to an external training organisation, to the extent that the cost items covered by the participation fee are used exclusively for the training project and fall under the categories of costs under Items 1, 2, 4, 7 and 8 of this paragraph; costs of food and beverages included in the participation fee or provided upon the conduct of the training;
3. trainees' operating costs directly relating to the training project such as travel expenses and accommodation costs, up to amounts provided for in the ordinances and the relevant national rules on secondment;
4. costs of materials and supplies directly related to the project;

5. costs of advisory services for ancillary or preparatory activities linked to the training project;
  6. trainees' personnel costs: the pro-rata part of the costs of remunerations and compulsory social-security contributions to the funds of public social insurance, supplementary compulsory retirement insurance and compulsory health insurance for the trainees, for the hours during which the trainees participate in the training;
  7. costs of depreciation of tools and equipment, where they are used exclusively for the training project;
  8. costs of rent of premises, machinery and plant for the time during which they are used in the training project.
- (2) (Supplemented, SG No. 20/2009, effective 17.03.2009) The costs covered under Paragraph (1) shall be before taxes and charges.
- (3) (Amended, SG No. 20/2009, effective 17.03.2009, SG No. 62/2010, SG No. 88/2015, effective 13.11.2015, SG No. 82/2022, effective 14.10.2022) The amount of resources for financial support under this Section may not exceed 25 per cent of the eligible costs for training.
- (4) (Amended, SG No. 20/2009, effective 17.03.2009, SG No. 62/2010) The intensity of the aid under Paragraph (3) may be increased:
1. by 10 percentage points if the aid is for training of disabled or disadvantaged workers;
  2. by 10 percentage points if the aid is awarded to medium-sized enterprises and by 20 percentage points if the aid is awarded to small enterprises.
- (5) (New, SG No. 20/2009, effective 17.03.2009, amended, SG No. 88/2015, effective 13.11.2015) For the purposes of calculating the intensity of aid payable in several instalments, the aid and eligible costs should be discounted to their value at the moment of granting the aid, using the discount interest rate applicable at the time of granting the aid.
- (6) (New, SG No. 88/2015, effective 13.11.2015) No aid shall be granted in the cases where training is conducted by the undertaking for the purposes of compliance with the mandatory national standards for training.

Article 47. (Amended, SG No. 88/2015, effective 13.11.2015) (1) (Previous text of Article 47, SG No. 82/2022, effective 14.10.2022, amended, SG No. 59/2025, effective 22.07.2025, SG No. 80/2025, effective 30.09.2025) The total amount of resources for financial support received according to the procedure established by this Section and from financing by other public resources or EU resources of State aid or de minimis aid character in connection with a specific training project may not exceed EUR 3 million and the intensity of the aid received from all sources may not exceed 50 per cent of the eligible costs on the specific training project or increased to 70 per cent under the terms and conditions of Items 1 and 2 of Article 46 (4) herein, if applicable.

(2) (New, SG No. 82/2022, effective 14.10.2022) Financial support under a training aid scheme shall not be provided according to the procedure established by the Regulations for the same eligible costs for which other State aid and/or de minimis aid has been granted.

### **Section III**

## **Financial Support Subject to Prior Notification to the European Commission**

Article 48. (1) (Amended, SG No. 20/2009, effective 17.03.2009, supplemented, SG No. 62/2010, amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, amended and supplemented, SG No. 88/2015, effective 13.11.2015, amended, SG No. 41/2018, effective 18.05.2018, SG No. 43/2022, effective 10.06.2022, SG No. 59/2025, effective 22.07.2025, SG No. 80/2025, effective 30.09.2025) In case the resources for financial support for a training project received according to the procedure established by this Chapter and through financing with other State resources or EU resources for the same eligible costs, including in the form of de minimis aid,

exceed EUR 3 million, or the training project does not fulfil the conditions under Section II, the Minister of Innovation and Growth shall prepare a notification of the intention to allocate financial support according to the procedure established by Article 22 of the State Aids Act. The maximum amount under sentence one may not be circumvented by artificially separating projects with similar characteristics, objectives or beneficiaries.

(2) The resources for financial support shall be provided only after a positive decision on the part of the European Commission.

(3) (New, SG No. 88/2015, effective 13.11.2015) Where European Union funding centrally managed by the institutions, agencies, joint undertakings or other bodies of the Union that is not directly or indirectly under the control of the Member State is combined with State aid, only the latter shall be considered for determining whether notification thresholds and maximum aid intensities or maximum aid amounts are respected, provided that the total amount of public funding granted in relation to the same eligible costs does not exceed the most favourable funding rate laid down in the applicable rules of the European Union law.

## **Section IV**

### **Procedure for Allocation of Resources**

Article 49. (1) (Amended, SG No. 24/2013, effective 12.03.2013) Resources for financial support for training under Article 22c of the IPA shall be allocated according to Article 15 (5) of the IPA on the basis of the contracts referred to in Article 50 herein as approved by the Council of Ministers.

(2) (Supplemented, SG No. 62/2010) In case the circumstances under Article 48 herein apply, the decree shall be adopted and the resources shall be allocated after a positive decision of the European Commission on the provision of the financial support.

(3) (New, SG No. 62/2010, amended, SG No. 95/2020, effective 6.11.2020, SG No. 82/2022, effective 14.10.2022, SG No. 80/2025, effective 30.09.2025) The request for application of the measure referred to in Paragraph (1) shall be submitted if the following conditions are simultaneously fulfilled:

1. (supplemented, SG No. 80/2025, effective 30.09.2025) after the execution of not less than 50 per cent of the threshold amount of the investment set for issuing of the respective investment class certificate and after the appointment, under employment relationships, of not fewer than 30 per cent of the relevant number of employees required for the issuing of the respective investment class certificate;

2. (amended, SG No. 88/2015, effective 13.11.2015, SG No. 82/2022, effective 14.10.2022) for reimbursement of the resources spent on the training delivered to not fewer than 30 persons according to the training project under Article 44 herein.

Article 50. (1) (Supplemented, SG No. 62/2010, amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 95/2020, effective 6.11.2020, SG No. 43/2022, effective 10.06.2022, SG No. 80/2025, effective 30.09.2025) The Council of Ministers shall adopt a decision approving the draft contracts and authorising the Minister of Innovation and Growth to conclude a contract with the investor and/or with the persons/the combination referred to in Article 17 of the IPA.

(2) (Amended, SG No. 88/2015, effective 13.11.2015, SG No. 95/2020, effective 6.11.2020) By the contract referred to in Paragraph (1), the employer investor shall undertake to perform the investment project and the training project, and the State shall undertake to provide resources for the eligible costs of the training project under the terms established by this Chapter.

(3) (Supplemented, SG No. 62/2010, amended, SG No. 95/2020, effective 6.11.2020) The contract referred to in Paragraph (1) shall mandatorily contain all requirements of the IPA with regard to the investment project and the investor, as well as the conditions and requirements for the allocation of financial resources under the training State aid scheme:

1. subject matter of the contract;
  2. contracting parties;
  3. title of the investment project;
  4. principal rights and obligations;
  5. type and amount of the investment;
  6. time limit for execution of the investment project and period for maintenance of the investment;
  7. number of employees who are to be trained;
  8. content of training and envisaged means to be used;
  9. start date for training or retraining of the relevant number of employees;
  10. amount of the costs of training;
  11. type of costs and means provided;
  12. amount and period for which financial support is to be provided;
  13. manner and time limit for spending of the resources for training;
  14. (amended, SG No. 95/2020, effective 6.11.2020) the procedure and terms for:
    - (a) (amended, SG No. 82/2022, effective 14.10.2022) termination of the contract and full repayment of the aid in case of non-compliance with, or violation of, any provisions of Regulation (EU) No. 651/2014 or the conditions of the scheme whereunder the aid is granted, non-fulfilment of the obligation to implement and/or maintain the investment and the jobs created under the project in accordance with the set minimum thresholds applicable upon certification;
    - (b) partial repayment of the aid in the cases other than those referred to in Littera (a).
  15. manner of reporting the execution of the training project;
  16. type and amount of the collateral to be furnished for fulfilment of the obligations under the contract;
  17. type and amount of the liability incurrable for non-fulfilment of the obligations under the contract;
  18. control over the fulfilment of the obligations by the parties;
  19. methods of settlement of disputes between the parties;
  20. (Supplemented, SG No. 24/2013, effective 12.03.2013) grounds for early termination or rescission of the contract and rights of the party not at fault;
  21. other elements on which the parties have reached agreement.
- (4) (Amended, SG No. 95/2020, effective 6.11.2020) The investment project and the training project shall constitute an integral part of the contract referred to in Paragraph (1).
- (5) (Repealed, SG No. 95/2020, effective 6.11.2020).
- (6) (Supplemented, SG No. 24/2013, effective 12.03.2013, amended, SG No. 88/2015, effective 13.11.2015, repealed, SG No. 95/2020, effective 6.11.2020).
- (7) (Repealed, SG No. 95/2020, effective 6.11.2020).
- (8) The contracts referred to in Paragraph (1) shall enter into effect after a positive decision of the European Commission on provision of the financial support, if the circumstances under Article 48 herein exist.
- (9) (New, SG No. 62/2010, amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 95/2020, effective 6.11.2020, SG No. 43/2022, effective 10.06.2022) A standard form of a contract referred to in Paragraph (1) shall be made publicly available on the Internet site of the Ministry of Innovation and Growth.
- (10) (New, SG No. 88/2015, effective 13.11.2015, amended, SG No. 43/2022, effective 10.06.2022, SG No. 82/2022, effective 14.10.2022) The Minister of Innovation and Growth shall ensure publicity of the information on the aid granted according to the procedure and within the time limits under Article 9 of Regulation (EU) No. 651/2014, the State Aids Act and the Regulations for Application thereof.

## **Section V**

### **Transparency and Monitoring**

Article 51. (Supplemented, SG No. 62/2010, amended and supplemented, SG No. 88/2015, effective 13.11.2015, supplemented, SG No. 82/2022, effective 14.10.2022) The investor shall certify the eligible training project costs incurred by means of supporting documents within three months after implementation of the training project or according to the contract referred to in Article 50 herein. The eligible costs shall be supported by documentary evidence which shall be clear, specific and contemporary. The fulfilment of the requirements regarding the costs of training and the amount thereof shall be confirmed by a registered auditor on the basis of clear, specific and up-to date documentary evidence.

Article 52. (Amended, SG No. 62/2010) (1) Control over the performance of the contract/s under Article 50 herein shall be exercised by:

1. (amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) an official authorised by the Minister of Innovation and Growth under Article 69 herein in respect of the investment project;

2. an official authorised by the Minister of Labour and Social Policy in respect of the performance of the training project and compliance with the parameters of the investment project related to employment.

(2) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, supplemented, SG No. 88/2015, effective 13.11.2015, amended, SG No. 41/2018, effective 18.05.2018, SG No. 43/2022, effective 10.06.2022) The Minister of Innovation and Growth or the official authorised thereby referred to in Paragraph (1) shall maintain and keep the entire information and the accompanying documentation relating to the actions performed in connection with the granted financial support for the time periods and the purposes provided for in the State Aid Act. The information regarding the financial support resources granted under this Chapter shall be kept for a period of 10 years from the date on which the financing was granted or from the date of granting the latest aid under the scheme, whichever is later.

(3) (New, SG No. 88/2015, effective 13.11.2015, amended, SG No. 41/2018, effective 18.05.2018, SG No. 43/2022, effective 10.06.2022) At the request of the European Commission the Minister of Innovation and Growth shall provide through the Minister of Finance all the information and supporting documents as may be deemed necessary by the European Commission for the purposes of monitoring the application of Regulation (EU) No. 651/2014. The information and the documentation shall be provided to the Minister of Finance within 15 business days, unless provided for otherwise in the request of the European Commission or in the instructions of the Ministry of Finance.

## **Chapter Seven**

**(Effective until 31.12.2013, SG No. 20/2009 - amended, SG No. 2/2014)**

### **CONDITIONS FOR PROMOTION OF INVESTMENTS IN REGIONAL AID**

**(Heading amended, SG No. 20/2009, effective 17.03.2009)**

#### **Section I**

#### **Conditions for Exemption from Prior Notification to the European Commission**

**(Heading amended, SG No. 20/2009, effective 17.03.2009)**

Article 52a. (New, SG No. 20/2009, effective 17.03.2009) (1) (Amended, SG No. 24/2013, effective 12.03.2013, SG No. 88/2015, effective 13.11.2015, amended and supplemented, SG No. 82/2022, effective 14.10.2022) The regional investment aid scheme which fulfils all conditions of Chapter I and Chapter III, Articles 13 and 14 of Regulation (EU) No. 651/2014 shall be compatible with the internal market within the meaning given by Article 107(3) of the Treaty on the Functioning of the European Union (TFEU) and shall be exempt from the notification requirement under Article 108(3) of the TFEU.

(2) (Amended, SG No. 24/2013, effective 12.03.2013, SG No. 88/2015, effective 13.11.2015, SG No. 43/2022, effective 10.06.2022, supplemented, SG No. 80/2025, effective 30.09.2025) The annual budget of the regional investment aid scheme shall not exceed EUR 150 million per annum. If the average annual budget of the scheme exceeds that amount, the Ministry of Innovation and Growth shall draw up an evaluation plan for the scheme which shall be sent to the European Commission within 20 days from the entry into force of the amended budget. In cases where the European Commission has already extended the application of Regulation (EU) 651/2014 beyond the initial six months as regards such schemes, the State may decide to extend the said schemes until the end of the period of application of this Regulation, provided that the State has submitted an evaluation report in line with the evaluation plan approved by the Commission. In such cases, the regional investment aid scheme shall apply for a period of six months from the entry into force of the amended budget for the scheme. After having assessed the evaluation plan, the European Commission may decide that Regulation (EU) No. 651/2014 will continue to apply for a longer period to the scheme or to alterations of the scheme which cannot affect the compatibility thereof with Regulation (EU) No. 651/2014 or cannot significantly affect the approved evaluation plan.

(3) (Amended, SG No. 88/2015, effective 13.11.2015) Any granting of individual aid under the regional investment aid scheme should contain an express reference to the specific provisions of Chapter III of Regulation (EU) No. 651/2014 and to the national legislation on which the individual aid is based and shall be cited in the relevant act for granting the aid and in the contract with the beneficiary of the aid.

(4) (New, SG No. 88/2015, effective 13.11.2015, amended, SG No. 82/2022, effective 14.10.2022, SG No. 80/2025, effective 30.09.2025) Modifications in the contracts shall only be admissible if the said modifications do not affect the statutory requirements for certification of the project and for granting of the aid and fulfil one or several of the following conditions: the said modifications are related to circumstances which arose after the start of works on the project; the said modifications are intended to keep the parties interested in a successful performance of the contract as concluded; the said modification may lead, where applicable, only to a proportional reduction of the aid.

(5) (New, SG No. 82/2022, effective 14.10.2022, amended, SG No. 80/2025, effective 30.09.2025) In assisted areas fulfilling the conditions of Article 107(3)(a) of the TFEU ("a" areas), the aid may be granted for an initial investment regardless of the size of the beneficiary. In assisted areas fulfilling the conditions of Article 107(3)(c) of the TFEU ("c" areas), the aid may be granted to SMEs for any form of initial investment. Aid to large enterprises shall only be granted for an initial investment that creates a new economic activity in the area concerned. The type of area shall be determined according to the regional aid map approved by the European Commission for Bulgaria for the period concerned.

Article 53. (Amended, SG No. 20/2009, effective 17.03.2009) (1) (Amended, SG No. 24/2013, effective 12.03.2013, amended and supplemented, SG No. 88/2015, effective 13.11.2015, amended, SG No. 82/2022, effective 14.10.2022, SG No. 80/2025, effective 30.09.2025) The regional aid intensity in gross grant equivalent must not exceed the maximum aid intensity established in the regional aid map which is in force at the time the aid is granted in the area concerned. For the purposes of calculating aid intensity, all figures used shall be taken before any deduction of tax or other charge. Value added tax charged on eligible costs or expenses that is refundable under the applicable national tax law shall not be taken into account for calculating aid intensity and eligible costs. When aid is granted in a form other than a grant, the aid amount shall be

the gross grant equivalent of the aid. The eligible costs shall be supported by documentary evidence which shall be clear, specific and contemporary.

(2) (Supplemented, SG No. 62/2010, amended, SG No. 24/2013, effective 12.03.2013, SG No. 88/2015, effective 13.11.2015, SG No. 80/2025, effective 30.09.2025) The total amount of the gross grant equivalent of regional aid from all sources, which is received for the same eligible costs and for the same project, may not exceed the individual [notification] threshold laid down according to Chapter I, Article 4(1)(a) of Regulation (EU) No 651/2014, and namely the adjusted aid amount as calculated in accordance with the mechanism defined in Article 2, point 20 of Regulation (EU) No. 651/2014 for an investment with eligible costs of EUR 110 million.

(3) (New, SG No. 88/2015, effective 13.11.2015) Where a single investment project is a large investment project the total amount of aid for the single investment project shall not exceed the adjusted amount of the aid for large investment projects.

(4) (New, SG No. 88/2015, effective 13.11.2015) The maximum amount under Paragraph (2) may not be circumvented by artificial separation of projects with similar characteristics, objectives and beneficiaries.

(5) (New, SG No. 88/2015, effective 13.11.2015, repealed, SG No. 82/2022, effective 14.10.2022).

Article 54. (1) (Amended, SG No. 88/2015, effective 13.11.2015) The eligible tangible assets shall be limited to assets including land, buildings, machinery and equipment, and the eligible intangible assets shall be limited to assets which do not have physical or financial form such as patents, licences, know-how or other intellectual property.

(2) (Supplemented, SG No. 20/2009, effective 17.03.2009, amended, SG No. 62/2010, SG No. 88/2015, effective 13.11.2015, SG No. 80/2025, effective 30.09.2025) Intangible assets shall be eligible for the calculation of investment costs if the said assets fulfil the following conditions:

1. (amended, SG No. 80/2025, effective 30.09.2025) the said assets must be used exclusively in the establishment receiving the aid;

2. (amended, SG No. 80/2025, effective 30.09.2025) the said assets must be amortisable;

3. (amended, SG No. 80/2025, effective 30.09.2025) the said assets must be purchased under market conditions from third parties unrelated to the buyer;

4. (amended, SG No. 80/2025, effective 30.09.2025) the said assets must be included in the assets of the undertaking that receives the aid and must remain associated with the project for which the aid is awarded for at least five years or three years for SMEs;

5. (amended, SG No. 80/2025, effective 30.09.2025) the said assets must be new.

(3) (Amended, SG No. 80/2025, effective 30.09.2025) For small and medium-sized enterprises, 100 per cent of the costs of intangible assets shall be eligible.

(4) (Amended, SG No. 62/2010, SG No. 88/2015, effective 13.11.2015, supplemented, SG No. 80/2025, effective 30.09.2025) For large enterprises, the costs referred to in Paragraph (2) shall be eligible up to 50 per cent of the total eligible project costs for the initial investment.

(5) (New, SG No. 62/2010, amended, SG No. 88/2015, effective 13.11.2015) To be eligible, the costs of acquisition of tangible assets must:

1. be used exclusively in the undertaking receiving the aid;

2. (amended, SG No. 88/2015, effective 13.11.2015) be purchased under market conditions from third parties not related to the buyer;

3. (amended, SG No. 88/2015, effective 13.11.2015) be included in the assets of the undertaking receiving the aid and remain linked to the project for which the aid is granted for at least five years or, in the case of SMEs, for at least three years;

4. be new.

(6) (New, SG No. 62/2010, amended, SG No. 88/2015, effective 13.11.2015, supplemented, SG No. 41/2018, effective 18.05.2018, amended, SG No. 80/2025, effective 30.09.2025) For aid awarded to large enterprises for a fundamental change in the production process, the eligible costs shall exceed the depreciation of the assets linked to the activity to be modernised over the preceding three fiscal years. For aid awarded to large enterprises or SMEs for a diversification of an existing

establishment, the eligible costs shall exceed by at least 200 per cent the book value of the reused assets, as registered in the fiscal year preceding the start of works on the project.

Article 55. (1) (Amended, SG No. 88/2015, effective 13.11.2015) The thresholds laid down according to Article 53 (1) herein shall apply to the aid intensities calculated either as a percentage of the eligible costs of tangible and intangible assets covered under Article 54 herein or as a percentage of the estimated labour remuneration costs of the persons employed, calculated over a period of two years, for jobs directly created by the investment project.

(2) The two methods of calculation referred to in Paragraph (1) may be combined, provided the aid does not exceed the most favourable amount resulting from the separate application of either method.

(3) (Amended, SG No. 88/2015, effective 13.11.2015) For calculating the intensity of aid payable in several instalments, the aid and eligible costs shall be discounted to its value at the moment of granting of the said aid, using the discount interest rate applicable at the time of grant of the aid.

Article 56. (1) (Supplemented, SG No. 82/2022, effective 14.10.2022) The costs of acquisition of tangible assets under lease, other than land and buildings, shall only be taken into account if the lease takes the form of financial leasing and contains an obligation to purchase the assets upon expiry of the term of the lease.

(2) The lease of land and buildings must continue for at least five years, or three years in the case of small and medium-sized enterprises, after the anticipated date of the completion of the investment project.

Article 57. (Amended, SG No. 20/2009, effective 17.03.2009) (1) (Previous text of Article 57, SG No. 24/2013, effective 12.03.2013, amended, SG No. 88/2015, effective 13.11.2015) In the cases where aid is calculated on the basis of labour remuneration costs, the employment must fulfil all the conditions of Chapter III, Article 14, paragraph 9 of Regulation (EU) No. 651/2014:

1. (supplemented, SG No. 24/2013, effective 12.03.2013, amended, SG No. 88/2015, effective 13.11.2015) it must be directly linked to the implementation of the investment project within the meaning given by Article 2, Item 62 of Regulation (EU) No. 651/2014;

2. (supplemented, SG No. 24/2013, effective 12.03.2013, amended and supplemented, SG No. 88/2015, effective 13.11.2015, amended, SG No. 80/2025, effective 30.09.2025) the investment project must lead to a net increase in the average number of employees on payroll within the meaning given by Item 16 of § 1 of the Supplementary Provisions of these Regulations and Article 2, point 32 of Regulation (EU) No. 651/2014 in the establishment concerned compared to the average over the previous 12 months, which means that the job losses must be deducted from the number of jobs created during that period;

3. (amended, SG No. 82/2022, effective 14.10.2022) each post shall be filled within three years of completion of works and each job created through the investment shall be maintained in the area concerned for a period of at least five years from the date the post was first filled, or three years in the case of small and medium-sized enterprises.

(2) (New, SG No. 24/2013, effective 12.03.2013, amended, SG No. 88/2015, effective 13.11.2015) Labour remuneration costs, according to Article 2, Item 31 of Regulation (EU) No. 651/2014, shall be the total amount actually payable by the beneficiary of the aid in respect of the jobs concerned, comprising:

1. the gross remuneration before tax, and
2. the compulsory social and health insurance contributions.

Article 58. (Amended, SG No. 88/2015, effective 13.11.2015, SG No. 95/2020, effective 6.11.2020) Regional investment aid under Regulation (EU) No. 651/2014 shall not be granted to:

1. (amended, SG No. 41/2018, effective 18.05.2018) beneficiaries who have carried out a relocation to the undertaking in which the initial investment for which aid is requested is to take place, in the two years preceding the application for aid, with the beneficiaries giving a commitment that they will not carry out such relocation up to a period of two years after the initial investment for which aid is requested is completed;

2. projects which favour domestic over imported goods, as well as investments in export-related activities towards third countries or towards other Member States of the European Union which are directly linked to the quantities exported, to the establishment and operation of distribution networks or to other current expenditure linked to the export activity.

## **Section II Cumulation**

Article 59. (1) (Amended, SG No. 88/2015, effective 13.11.2015, SG No. 82/2022, effective 14.10.2022) The aid thresholds laid down under Article 53 (1) herein shall apply to the total amount of State aid for the aided project, regardless of whether the said support is financed from municipal, regional or national sources, or EU sources.

(2) (Amended, SG No. 88/2015, effective 13.11.2015, SG No. 41/2018, effective 18.05.2018) Regional investment aid, which fulfils the conditions under this Chapter, shall not be cumulated with any other State aid, nor with any de minimis aid within the meaning given by Item 15 of § 1 of the Supplementary Provision of the State Aids Act in respect of the same eligible costs, if such cumulation would result in the aid intensity or the amount of aid exceeding the values fixed under Article 53 (1) and (2) herein.

(3) (New, SG No. 88/2015, effective 13.11.2015) Where European Union funding centrally managed by the institutions, agencies, joint undertakings or other bodies of the Union that is not directly or indirectly under the control of the Member State is combined with State aid, only the latter shall be considered for determining whether notification thresholds and maximum aid intensities or maximum aid amounts are respected, provided that the total amount of public funding granted in relation to the same eligible costs does not exceed the most favourable funding rate laid down in the applicable rules of the European Union law.

## **Section III Aids Subject to Prior Notification to the European Commission**

Article 60. (1) (Amended, SG No. 88/2015, effective 13.11.2015, SG No. 80/2025, effective 30.09.2025) The aid granted in favour of large investment projects under this Chapter shall be subject to prior notification if the total amount of the aid from all sources exceeds the adjusted amount of aid, calculated according to the mechanism set out in Article 2(20) of Regulation (EU) No. 651/2014 for an investment with eligible costs of EUR 110 million or more.

(2) (Repealed, SG No. 20/2009, effective 17.03.2009).

(3) (Amended, SG No. 62/2010, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 41/2018, effective 18.05.2018, SG No. 43/2022, effective 10.06.2022, SG No. 80/2025, effective 30.09.2025) Individual notification to the Commission under Paragraph (1) shall be effected by the Minister of Innovation and Growth or the official authorised thereby under Item 2 of Article 69 (1) herein, or by another executive authority granting the aid. The notification shall be made according to the procedure established by Article 22 of the State Aids Act.

## **Section IV Transparency and Monitoring**

Article 61. (1) (Supplemented, SG No. 62/2010, amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 88/2015, effective 13.11.2015, SG No. 43/2022, effective 10.06.2022, SG No. 82/2022, effective 14.10.2022) The authority that granted the aid shall publish information on awarded individual aid in accordance with Article 9(1)(c) of Regulation (EU) No.

651/2014 on the Internet site thereof and on the State Aid Transparency Public Search Page hosted by the European Commission.

(2) (Amended, SG No. 88/2015, effective 13.11.2015, repealed, SG No. 82/2022, effective 14.10.2022).

(3) (Amended, SG No. 62/2010, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 41/2018, effective 18.05.2018, SG No. 43/2022, effective 10.06.2022, SG No. 82/2022, effective 14.10.2022) The authority that granted the aid shall publish the information referred to in Article 9(1)(a) of Regulation (EU) No. 651/2014 on the Internet site thereof and shall submit an annual report on the aids administrated thereby based on reporting data regarding the previous year within the time limits and according to the procedure established by the State Aids Act.

(4) (Amended, SG No. 88/2015, effective 13.11.2015, SG No. 41/2018, effective 18.05.2018, SG No. 43/2022, effective 10.06.2022) The information referred to in Paragraph (3) shall be kept in the course of ten years from the date on which the individual aid was awarded under such scheme or from the date of granting of the last aid under the scheme, whichever is later. Upon request by the European Commission the Minister of Innovation and Growth shall provide through the Minister of Finance all the information and supporting documents as may be deemed necessary by the European Commission for the purposes of monitoring of the application of Regulation (EU) No. 651/2014. The information and the documentation shall be provided to the Minister of Finance within 15 business days, unless provided for otherwise in the request of the European Commission or in the instructions of the Ministry of Finance.

(5) (Amended, SG No. 62/2010, SG No. 82/2022, effective 14.10.2022) The authority granting aid under a scheme shall inform the European Commission according to the State Aids Act and the Regulations for Application thereof and shall publish the full text of the aid scheme and any alteration thereof on the Internet site thereof. Any such information shall indicate, inter alia, the electronic address at which the relevant documents which are part of the aid scheme are published.

(6) (Repealed, SG No. 82/2022, effective 14.10.2022).

## **Chapter Seven "a"**

**(New, SG No. 24/2013, effective until 31.12.2013 - amended,  
SG No. 2/2014)**

# **FINANCIAL SUPPORT FOR PARTIAL REIMBURSEMENT OF THE COMPULSORY SOCIAL AND HEALTH INSURANCE CONTRIBUTIONS MADE BY THE INVESTOR FOR THE ACCOUNT THEREOF**

## **Section I**

**(New, SG No. 24/2013, effective until 31.12.2013 - amended,  
SG No. 2/2014)**

### **Requirements to Project**

Article 61a. (New, SG No. 24/2013, effective 12.03.2013, amended, SG No. 2/2014, SG No. 36/2014, effective 25.04.2014) (1) (Previous text of Article 61a, SG No. 95/2020, effective 6.11.2020) Any investment project applying for the award of financial support for created employment must meet the requirements of Article 22e of the IPA:

1. a Class A or Class B certificate or a priority project certificate must be issued for the investment;
2. (amended, SG No. 80/2025, effective 30.09.2025) the employment created by the implementation of the investment project, defined as average number of employees on payroll within the meaning

given by Item 16 of § 1 of the Supplementary Provisions of these Regulations, must fulfil the conditions referred to in Item 5 of Article 12 (2) of the IPA and Article 14(9)(a) and (b) of Regulation (EU) No. 651/2014;

3. (amended, SG No. 36/2014, effective 25.04.2014) the requisite information referred to in Section III, Subsection 6 of the application referred to in Article 4 (1) herein must be presented;

4. the new full-time jobs created by the investment project under the terms and according to the procedure established by the Labour Code must be created before the expiry of the period of validity of the certificate as issued but not later than three years after the date of start of works on the investment project;

5. (supplemented, SG No. 36/2014, effective 25.04.2014, amended, SG No. 95/2020, effective 6.11.2020) in respect of the jobs created under the project for which the aid is granted:

(a) (amended, SG No. 80/2025, effective 30.09.2025) the annual labour remuneration for each of the jobs is above the national average for the relevant economic activity in which the investment project is implemented, according to current data of the National Statistical Institute for the period during which the employment is maintained under Article 14(9)(c) of Regulation No 651/2014, or

(b) (amended, SG No. 80/2025, effective 30.09.2025) in respect of all jobs created, the arithmetic mean of the annual labour remunerations is above the national average for the relevant economic activity in which the investment project is implemented, according to current data of the National Statistical Institute for the period during which the employment is maintained under Article 14(9)(c) of Regulation No. 651/2014;

6. the investment and the employment created must be maintained for a minimum period of five years for large enterprises and three years for small and medium-sized enterprises, reckoned from the date of completion of the said investment or from the date of creation of each job, as the case may be];

7. (new, SG No. 82/2022, effective 14.10.2022, amended, SG No. 80/2025, effective 30.09.2025) each post shall be filled within three years of completion of works on the project within the meaning given by Article 14(9)(b) of Regulation (EU) No. 651/2014.

(2) (New, SG No. 95/2020, effective 6.11.2020) Upon the submission of the application referred to in Item 1 of Article 61b herein, fulfilment of the requirements referred to in Paragraph (1) shall be declared by the investor, and the said requirements shall be certified when the performance of the aid granting contract is reported.

## **Section II**

**(New, SG No. 24/2013, effective until 31.12.2013 - amended,  
SG No. 2/2014)**

### **Motion to Allocate Resources**

Article 61b. (New, SG No. 24/2013, effective until 31.12.2013 - amended, SG No. 2/2014; amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 88/2015, effective 13.11.2015, SG No. 95/2020, effective 6.11.2020, SG No. 43/2022, effective 10.06.2022) The Minister of Innovation and Growth shall lay before the Council of Ministers a proposal for the promotion of an investment project by the measure referred to in Article 22e of the IPA, subject to fulfilment of the requirements of Regulation (EU) No. 651/2014 and in the presence of the following conditions:

1. (amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) a request has been received at the Ministry of Innovation and Growth from an investor whereto a Class A or Class B investment certificate or a priority investment project certificate has been issued;

2. (amended, SG No. 36/2014, effective 25.04.2014, amended and supplemented, SG No. 95/2020, effective 6.11.2020, amended, SG No. 43/2022, effective 10.06.2022, SG No. 80/2025, effective 30.09.2025) presentation of documents referred to in Item 4 of Article 16, if applicable, and Item 5

of Article 17 of the IPA, documents referred to in Article 17 of the IPA, where applicable, and a declaration in a standard form endorsed by the Minister of Innovation and Growth on State aid received during the last three years including the current year by the investor or the persons referred to in Article 17 of the IPA;

3. an investment project has been approved for promotion after conduct of a competitive procedure according to the procedure established by Article 61c herein, where applicable;

4. the conditions referred to in Chapter Seven herein have been verified;

5. (amended, SG No. 88/2015, effective 13.11.2015) the incentive effect of the measure within the meaning given by Article 6 of Regulation (EU) No. 651/2014 has been proved.

### **Section III**

**(New, SG No. 24/2013, effective until 31.12.2013 - amended,  
SG No. 2/2014)**

### **Competitive Procedure**

Article 61c. (New, SG No. 24/2013, effective until 31.12.2013 - amended, SG No. 2/2014) (1) The competitive procedure for evaluation and selection of investment projects for promotion by the measure referred to in Article 22e of the IPA shall be conducted on the basis of the documents covered under Items 1 and 2 of Article 61b herein.

(2) The evaluation referred to in Paragraph (1) shall be performed under the terms and according to the procedure established by Article 35 herein.

(3) The evaluation shall be performed on the basis of the following criteria:

1. amount of investments under the investment project to be implemented within a three-year period and/or amount of the estimated labour remuneration costs for a period of two years of the persons hired for the jobs directly created by the performance of the investment project (the larger amount applies);

2. amount of State resources for application of the measure as applied for;

3. implementation of investments in high technology production and services covered under Article 3 (5) and (6) herein;

4. implementation of investments in municipalities referred to in Article 3 (2) herein;

5. (new, SG No. 41/2018, effective 18.05.2018) use, over prior years, of a measure under Article 22e of IPA for the promotion of another certified investment project of the applying undertaking or of another undertaking with which the applying undertaking forms a group of undertakings.

(4) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The Minister of Innovation and Growth shall lay before the Council of Ministers a motion according to the procedure established by Article 61b herein observing the order of the ranking, and the total amount of the requests must be within the limits of the resources provided for under Article 35 (3) herein.

### **Section IV**

**(New, SG No. 24/2013, effective until 31.12.2013 - amended,  
SG No. 2/2014)**

### **Determination of Amount of Resources for Financial Support**

Article 61d. (New, SG No. 24/2013, effective until 31.12.2013 - amended, SG No. 2/2014) (1) (Amended and supplemented, SG No. 88/2015, effective 13.11.2015) The resources for financial support shall be allocated up to the amount of the compulsory social and health insurance contributions actually paid by the investor for the account thereof in the capacity thereof as employer to the funds of public social insurance, supplementary compulsory retirement insurance

and compulsory health insurance in respect of the factory and office workers who occupied the new jobs according to the contract referred to in Article 61f and Paragraph (7) herein. Creation of a job shall mean the date on which a factory or office worker was appointed to the job under an employment contract for the first time.

(2) To be acceptable for application of the measure referred to in Paragraph (1), the newly created jobs must be occupied by Bulgarian citizens, citizens of the Member States of the European Union, of the States which are Contracting Parties to the Agreement on the European Economic Area, of the Swiss Confederation, or persons covered under Article 18 (3) of the Employment Promotion Act.

(3) (Supplemented, SG No. 41/2018, effective 18.05.2018, amended, SG No. 95/2020, effective 6.11.2020, SG No. 43/2022, effective 10.06.2022, amended and supplemented, SG No. 82/2022, effective 14.10.2022, amended, SG No. 80/2025, effective 30.09.2025) A request for application of the measure referred to in Item 1 of Article 61b (1) herein shall be submitted after not less than 30 per cent of the relevant number of employees required for the issuing of the respective investment class certificate have been recruited under an employment relationship and/or after not less than 50 per cent of the threshold amount of the investment set for the issuing of the relevant investment class certificate or priority investment project certificate under Article 63 herein has been executed, depending on the grounds for certification: under Article 3 or Article 3a herein, and within three years from the start of works/activity on the investment project. Any request for the conclusion of a contract shall contain information on the date of start of works, the number of jobs created under the project and of the jobs to be created and for which financial support will be provided, with an indicative timing of the creation of the said jobs and an indicative amount of the eligible costs of remuneration for a period of 24 months from the start of works on the project, the amount of aid applied for and the period of application of the measure, as well as other information regarding the execution of the project and the conditions for granting the aid. A standard form of the request shall be endorsed by the Minister of Innovation and Growth or a person empowered thereby and shall be published on the Internet site of the Ministry of Innovation and Growth.

(4) (Amended, SG No. 88/2015, effective 13.11.2015, SG No. 41/2018, effective 18.05.2018) The resources referred to in Paragraph (1) shall be allocated as follows:

1. annually during the implementation period of the measure, the date of granting being after 31 March of the current year, for reimbursement of the contributions referred to in Paragraph (1) that have actually been made for the previous year, subject to the provisions of Article 22e, Paragraph (1), Items 3 - 5 and Paragraph (2) of IPA, or
2. as a lump sum after the end of the implementation period of the measure, the date of granting being after 31 March of the current year, for reimbursement of the contributions referred to in Paragraph (1) that have actually been made during the previous years of implementation of the measure, subject to the provisions of Article 22e, Paragraph (1), Items 3 - 5 and Paragraph (2) of IPA.

(5) (Amended, SG No. 88/2015, effective 13.11.2015) The resources referred to in Paragraph (1) shall not be allocated if the person which implements the investment project is liable for non-performance of contracts concluded under programmes, measures and training under the Employment Promotion Act or resources from other public sources of financing have been received for the same eligible costs.

(6) (Amended, SG No. 88/2015, effective 13.11.2015, supplemented, SG No. 41/2018, effective 18.05.2018) For the allocation of the resources referred to in Paragraph (1), the investor shall certify the eligible costs incurred for the relevant calendar year for remunerations and compulsory insurance contributions in respect of the jobs created under the project not later than the 31 March of the next succeeding year (in the cases under Paragraph (4), Item 1) or of the year of the lump-sum allocation of the resources (in the cases under Paragraph (4), Item 2), and according to a procedure established by the contract referred to in Article 61f herein.

(7) (New, SG No. 88/2015, effective 13.11.2015) Funds for reimbursement of costs incurred for relevant social insurance contributions made by the investor may be granted:

1. for a period of not more than 24 months from the creation of the job concerned - for projects in the processing industry and high-tech activities in the services sector, implemented within the administrative boundaries of municipalities where the rate of unemployment for the year last preceding the current year is higher than the national average;

2. for a period of not more than 12 months – in the remaining cases.

(8) (New, SG No. 41/2018, effective 18.05.2018) The resources referred to in Paragraph (1) shall be granted with priority to beneficiaries (at group level) who have not yet benefited from the measure under Article 22e of IPA for the implementation of other certified projects.

Article 61e. (New, SG No. 24/2013, effective until 31.12.2013 - amended, SG No. 2/2014) The resources required for financial support under Article 61d herein for application of the measure referred to in Article 22e of the IPA shall be allocated according to Article 15 (5) of the IPA on the basis of the contracts referred to in Article 61f herein as approved by the Council of Ministers.

Article 61f. (New, SG No. 24/2013, effective until 31.12.2013 - amended, SG No. 3/2014) (1) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022, SG No. 80/2025, effective 30.09.2025) The Council of Ministers shall adopt a decision approving the draft contracts and authorising the Minister of Innovation and Growth to conclude a contract with the investor and/or with the combination referred to in Article 17 of the IPA.

(2) (Amended, SG No. 88/2015, effective 13.11.2015, SG No. 82/2022, effective 14.10.2022) By the contract referred to in Paragraph (1), the employer investor shall undertake to perform the investment project and to maintain the investment and the employment created by the implementation thereof, and the State shall undertake to provide resources for reimbursement of the eligible project costs under the terms established by this Chapter and by Chapter Seven herein.

(3) The contract referred to in Paragraph (1) shall mandatorily contain all requirements of the IPA regarding the investment project and the employment created by the implementation thereof, as well as the conditions and requirements for the provision of financial resources under the regional aid scheme:

1. subject matter of the contract;

2. contracting parties;

3. title of the investment project;

4. principal rights and obligations;

5. type and amount of the investment;

6. time limit for performance of the investment project and period for maintenance of the investment;

7. (amended, SG No. 95/2020, effective 6.11.2020) number of new jobs to be created under the project;

8. indicative amount of the costs for a period of 24 months reckoned from the creation of the job concerned, including: the amount of the gross remuneration before tax and of compulsory contributions for public social insurance, for supplementary compulsory retirement insurance borne by the employer and for compulsory health insurance borne by the employer;

(a) (new, SG No. 80/2025, effective 30.09.2025) projected/indicative amount of the costs of contributions under Article 61d (1) herein for the period from the submission of the request under Item 1 of Article 61b herein until the completion of works on the investment project;

(b) (new, SG No. 80/2025, effective 30.09.2025) amount of the costs of contributions under Article 61d (1) herein actually incurred for the period until the submission of the request under Item 1 of Article 61b herein;

9. (amended, SG No. 95/2020, effective 6.11.2020) the period of application of the measure, the amount of the aid and the indicative timing for payment of the said aid;

10. (amended, SG No. 88/2015, effective 13.11.2015, SG No. 95/2020, effective 6.11.2020) the procedure and terms for:

- (a) (amended, SG No. 82/2022, effective 14.10.2022) termination of the contract and full repayment of the aid in case of non-compliance with, or violation of, any provisions of Regulation (EU) No. 651/2014 or the conditions of the scheme whereunder the aid is granted, non-fulfilment of the obligation to implement and/or maintain the investment and the jobs created under the project in accordance with the set minimum thresholds applicable upon certification;
- (b) partial repayment of the aid in the cases other than those referred to in Littera (a);
11. manner of reporting the performance of the investment project;
12. type and amount of the security to be furnished for fulfilment of the obligations under the contract;
13. type and amount of the liability incurrable for non-fulfilment of the obligations under the contract;
14. control over the fulfilment of the obligations by the parties;
15. methods of settlement of disputes between the parties;
16. grounds for early termination of the contract and the rights of the party not at fault;
17. other elements on which the parties have reached agreement.
- (4) The investment project shall constitute an integral part of the contract referred to in Paragraph (1).
- (5) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) Standard forms of contracts covered under Paragraph (1) shall be made publicly available on the Internet site of the Ministry of Innovation and Growth on the basis of contracts for allocation of resources approved by the Council of Ministers.

## **Chapter Eight**

### **(New, SG No. 62/2010)**

# **PRIORITY INVESTMENT PROJECTS**

Article 62. (New, SG No. 62/2010) (1) Priority investment projects referred to in Article 22f (1) of the IPA shall be performed in all economic activities in accordance with Item 3 of Article 2 (2) and Article 2 (5) to (6) herein.

(2) The classification of economic activities referred to in Paragraph (1) and the products manufactured as a result of the investment shall be determined according to the procedure established by Article 2 (3) and (4) herein.

(3) Priority investment projects referred to in Paragraph (1) and investors applying for them must meet the following requirements:

1. (amended, SG No. 24/2013, effective 12.03.2013) the threshold amount of the investment which fulfils the conditions of Article 12 of the IPA within any single establishment within the meaning of Item 7 of § 1 of the Supplementary Provisions of the IPA shall be according to those specified in Article 63 herein, taking into account the possibilities for reduction of the amount of the investment under the conditions laid down in Article 64 herein;

2. (amended, SG No. 80/2025, effective 30.09.2025) they shall create and maintain employment directly created by the investment project, with a minimum number of persons employed laid down under Article 64 (1) to (3) and Article 64a herein;

3. (supplemented, SG No. 80/2025, effective 30.09.2025) they shall meet the specific requirements related to investment projects for industrial zones, industrial parks and technology parks;

4. (amended, SG No. 36/2014, effective 25.04.2014) the investors applying for priority projects must fulfil the conditions of Articles 13 to 13a of the IPA and shall submit the documents under the terms and according to the procedure established by Section One of Chapter Two herein, also certifying the requirements set out in this Chapter;

5. (amended and supplemented, SG No. 88/2015, effective 13.11.2015, amended, SG No. 80/2025, effective 30.09.2025) for application of the measures for promotion of investment projects under Article 22f of the Investment Promotion Act in conjunction with Article 22a (9), Item 2 of Article

22a (10) and Article 22a (12), Articles 22c and 22e of the Investment Promotion Act and Item 7 of Article 66 (1) of these Regulations, all conditions of the regional investment aid scheme and the training State aid scheme must be fulfilled in accordance with the requirements of Regulation (EU) No. 651/2014.

Article 63. (New, SG No. 62/2010) (1) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 59/2025, effective 22.07.2025, SG No. 80/2025, effective 30.09.2025) The threshold amount of investments within a single establishment shall be EUR 50,000,000, except for the cases referred to in Paragraphs (2) to (6), (8) and (9).

(2) (Amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) The threshold amount of investments within a single establishment shall be EUR 25,000,000 in cases where the priority investment project is implemented:

1. within the administrative boundaries of municipalities having a rate of unemployment for the year preceding the current year which was equal to or higher than the national average, as designated in the list referred to in Article 3 (8) herein;

2. (amended, SG No. 36/2014, effective 25.04.2014) in the economic activities of the industrial sector referred to in Item 1 of Article 2 (2) herein: manufacturing (Code C 10-33.2).

(3) (New, SG No. 36/2014, effective 25.04.2014, amended, SG No. 59/2025, effective 22.07.2025 (\*), repealed, SG No. 80/2025, effective 30.09.2025).

(4) (Renumbered from Paragraph (3), SG No. 36/2014, effective 25.04.2014, amended, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) The threshold amount of investments shall be EUR 10,000,000 within a single establishment in the high-tech knowledge-intensive services referred to in Article 3 (6) herein.

(5) (Amended, SG No. 24/2013, effective 12.03.2013, renumbered from Paragraph (4), amended, SG No. 36/2014, effective 25.04.2014, SG No. 59/2025, effective 22.07.2025 (\*), SG No. 80/2025, effective 30.09.2025) The threshold amount of investments within a single establishment for a priority investment project for establishing an industrial zone shall be BGN 7,500,000, and:

1. the following shall be included in the amount of investments:

(a) (repealed, SG No. 36/2014, effective 25.04.2014);

(b) (supplemented, SG No. 36/2014, effective 25.04.2014) investments in land and physical infrastructure for the establishment of the industrial zone and other investments in tangible and intangible fixed assets; costs of the clearing and preparation of the building site in case of unused old buildings or unfinished construction, or environmental pollution, or for levelling of the ground shall be acceptable as well;

(c) (amended, SG No. 36/2014, effective 25.04.2014, SG No. 80/2025, effective 30.09.2025) investments in tangible and intangible fixed assets for high-tech knowledge-intensive services referred to in Paragraph (4) shall be eligible as well;

(d) (amended, SG No. 80/2025, effective 30.09.2025) other investments which may supplement the investments up to the threshold amount of the investments, to an amount not exceeding 10 per cent of the threshold amount set;

2. (amended, SG No. 80/2025, effective 30.09.2025) in identifying the investments in economic activities and the combination thereof for the establishment of an industrial zone, the requirements for planning of manufacturing spatial-development areas designated as "manufacturing proper" of "primarily manufacturing" according to the procedure established by Articles 24 and 25 of Ordinance No. 7 of 2003 on Rules and Standard Specifications Applicable to the Planning of the Particular Types of Spatial-Development Areas and Planning Zones (promulgated in the State Gazette No. 3 of 2004; amended and supplemented in No. 10 of 2005; Supreme Administrative Court Judgment No. 653 of 2005, [promulgated in] No. 11 of 2005; amended and supplemented in No. 51 of 2005; Supreme Administrative Court Judgment No. 7028 of 2005, [promulgated in] No. 63 of 2005; amended and supplemented in No. 41 of 2008) shall be taken into account as well, according to Item 19 of § 1 of the Supplementary Provisions of the IPA.

(6) (Renumbered from Paragraph (5), amended, SG No. 36/2014, effective 25.04.2014, SG No. 80/2025, effective 30.09.2025) The threshold amount of investments within a single establishment for the priority investment projects for establishing a technology park shall be EUR 7,500,000, and:

1. the following shall be included in the amount of investments:

(a) not less than 30 per cent investments in scientific research and development, in information technologies and services, in education and human healthcare under Article 3 (6) herein, for transfer of technologies and innovations;

(b) (amended, SG No. 36/2014, effective 25.04.2014, SG No. 59/2025, effective 22.07.2025, SG No. 80/2025, effective 30.09.2025) investments in start-up innovative enterprises in production activity in the sectors of the industrial sector: manufacturing in the sectors referred to in Item 1 (a) of Article 3 (1) herein, as well as in the other economic activities of the sector with Code N (Professional, scientific and technical activities); Code J 58.2 (Software publishing), J 62 (Computer programming, consultancy and related activities), and J 63 (Computing infrastructure, data processing, hosting and other information service activities);

(c) investments in land, buildings and physical infrastructure for the establishment of the technology park; costs of the clearing and preparation of the building site in case of unused old buildings or unfinished construction, or environmental pollution, or for levelling of the ground shall also be acceptable;

2. in identifying the investments in economic activities and the combination thereof for the establishment of a technology park, the requirements for planning spatial-development areas of the "high technology manufacturing zone" variety (technology parks and other such) according to the procedure established by Articles 24 and 25 of Ordinance No. 7 of 2003 on Rules and Standard Specifications Applicable to the Planning of the Particular Types of Spatial-Development Areas and Planning Zones shall be taken into account according to Item 13 of § 1 of the Supplementary Provisions of the IPA.

(7) (Renumbered from Paragraph (6), amended, SG No. 36/2014, effective 25.04.2014) Where the investment in a certain priority project falls simultaneously under the cases referred to in Paragraphs (2) to (6), the investor shall have the right to choose an option of a threshold amount of the investment which is more favourable to the said investor, while also complying with the other conditions under Article 64 herein.

(8) (New, SG No. 80/2025, effective 30.09.2025) The threshold amount of investments within a single establishment for a priority investment project for establishing an industrial park shall be BGN 12,500,000, and:

1. the following shall be included in the amount of investments:

(a) investments in land and physical infrastructure for establishing the industrial park and other investments in tangible and intangible fixed assets; costs of the clearing and preparing the building site in case of unused old buildings or unfinished construction, or environmental pollution, or for levelling of the ground shall be eligible as well;

(b) investments in tangible and intangible fixed assets for high-tech knowledge-intensive services referred to in Paragraph (4) shall be eligible as well;

(c) other eligible costs which may supplement the investments up to the threshold amount of the investments, to an amount not exceeding 10 per cent of the threshold amount set;

2. in identifying the investments in economic activities, the requirements for planning of manufacturing spatial-development areas designated as 'manufacturing proper' of 'primarily manufacturing' according to the procedure established by Articles 24 and 25 of Ordinance No. 7 of 2003 on Rules and Standard Specifications Applicable to the Planning of the Particular Types of Spatial-Development Areas and Planning Zones (promulgated in the State Gazette No. 3 of 2004; amended and supplemented in No. 10 of 2005; Supreme Administrative Court Judgment No. 653 of 2005, [promulgated in] No. 11 of 2005; amended and supplemented in No. 51 of 2005; Supreme Administrative Court Judgment No. 7028 of 2005, [promulgated in] No. 63 of 2005; amended and supplemented in No. 41 of 2008) shall be taken into account as well, according to Item 12 of § 1 of the Supplementary Provisions of the IPA.

(9) (New, SG No. 80/2025, effective 30.09.2025) The threshold amount of investments within a single establishment for the construction or expansion of production facilities and storage facilities with the necessary physical infrastructure of strategic installations relevant to national security shall be EUR 10,000,000.

Article 64. (New, SG No. 62/2010) (1) (Amended, SG No. 24/2013, effective 12.03.2013, SG No. 80/2025, effective 30.09.2025) Priority investment projects shall create and maintain employment under the terms and according to the procedure established by the Labour Code, with the minimum annual number of persons employed, calculated as an average number of employees on payroll, reckoned from the date of completion of the investment, being as follows:

1. (supplemented, SG No. 36/2014, effective 25.04.2014, amended, SG No. 88/2015, effective 13.11.2015, SG No. 80/2025, effective 30.09.2025) one hundred employees under Article 63 (1) and Item 2 of Article 63 (2) herein;

2. (amended, SG No. 24/2013, effective 12.03.2013, supplemented, SG No. 36/2014, effective 25.04.2014, amended, SG No. 80/2025, effective 30.09.2025) fifty employees for investments in municipalities with a high rate of unemployment under Item 1 of Article 63 (2) herein;

3. (new, SG No. 24/2013, effective 12.03.2013, amended, SG No. 36/2014, effective 25.04.2014, SG No. 80/2025, effective 30.09.2025) five employees for investments in establishing industrial zones under Article 63 (5) herein;

4. (renumbered from Item 3, SG No. 24/2013, effective 12.03.2013, amended, SG No. 36/2014, effective 25.04.2014, SG No. 80/2025, effective 30.09.2025) thirty employees in high-tech knowledge-intensive services under Article 63 (4) herein;

5. (new, SG No. 36/2014, effective 25.04.2014, amended, SG No. 80/2025, effective 30.09.2025) thirty employees in technology parks under Article 63 (6) herein;

6. (new, SG No. 80/2025, effective 30.09.2025) five employees for investments in establishing an industrial park under Article 63 (8) herein;

7. (new, SG No. 80/2025, effective 30.09.2025) thirty employees for investments in the construction or expansion of production facilities and storage facilities with the necessary physical infrastructure of strategic installations relevant to national security under Article 63 (9) herein.

(2) (Amended, SG No. 24/2013, effective 12.03.2013, SG No. 80/2025, effective 30.09.2025) In cases where the investment project envisages employment higher than the one specified under Items 1 and 2 of Paragraph (1), for each 50 employees the threshold amount of the investment required shall be reduced by 10 per cent.

(3) (Amended, SG No. 24/2013, effective 12.03.2013, SG No. 36/2014, effective 25.04.2014, SG No. 80/2025, effective 30.09.2025) In cases where the investment project envisages employment higher than the one specified under Item 4 of Paragraph (1), for each 30 employees the threshold amount of the investment required shall be reduced by 10 per cent.

(4) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 82/2022, effective 14.10.2022, SG No. 80/2025, effective 30.09.2025) Each job under the project shall be maintained for a minimum period of 36 months, applicable to a large enterprise and to small and medium-sized enterprises, reckoned from the date of completion of works on the project.

(5) (Repealed, SG No. 24/2013, effective 12.03.2013, new, SG No. 80/2025, effective 30.09.2025) In cases where the measure referred to in Article 22c and/or under Article 22e of the IPA is to be enjoyed under a priority investment project, the requirements provided for the measure concerned shall apply to the employment.

(6) (Repealed, SG No. 24/2013, effective 12.03.2013).

Article 64a. (New, SG No. 80/2025, effective 30.09.2025) (1) The threshold amount of investments within a single establishment in the high-technology activities of the industrial sector of the economy, as set in Article 3 (5) herein, and [the minimum number] of persons employed shall be as follows:

(a) EUR 15,000,000 investments and one hundred employees, or

(b) EUR 37,500,000 investments and twenty employees.

(2) The persons must be employed under the terms and according to the procedure established by the Labour Code. The investment project must lead to a net increase in the average number of employees on payroll within the meaning given by Item 16 of § 1 of the Supplementary Provisions hereto. With regard to employment, the requirements of Article 64 (4) or (5) shall apply.

Article 65. (New, SG No. 62/2010) The investor applying for the issuing of a priority investment project certificate shall submit to the Invest Bulgaria Agency all documents under the terms and according to the procedure established by Chapter Two herein, also certifying the requirements defined in Paragraphs (2) to (5).

(2) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 88/2015, effective 13.11.2015, amended and supplemented, SG No. 80/2025, effective 30.09.2025) Eligibility to apply for the issuing of a priority investment project certificate for the establishment of an industrial zone or in an industrial park shall be limited to an applicant holding a document or documents certifying the commitment of a person or persons to implement eligible investments within the territory of the zone or the park subject to compliance with the criteria for size and employment as established in these Regulations.

(3) (Amended, SG No. 36/2014, effective 25.04.2014) Eligibility to apply for the issuance of a priority investment project certificate for the establishment of a technology park shall be limited to an applicant holding a document or documents certifying a commitment to carry out activity within the territory of the technology park by at least one of the persons listed below, wherewith they shall submit jointly the application completed in a standard form according to Annex 1 hereto.

1. (amended, SG No. 36/2014, effective 25.04.2014) Bulgarian higher schools which have been awarded a score not lower than 6.00 on the ten-point scale during the last valid institutional accreditation, according to Chapter Ten of the Higher Education Act, or foreign higher schools;

2. the Bulgarian Academy of Sciences and institutes and units thereof;

3. the Agricultural Academy and institutes therewith;

4. foreign or Bulgarian experimental laboratories and/or research institutes under Article 60 of the Administration Act;

5. foreign or Bulgarian scientific organisations within the meaning given by Item 1 of § 1 of the Supplementary Provision of the Scientific Research Promotion Act.

(4) (Amended, SG No. 36/2014, effective 25.04.2014) A commitment referred to in Paragraphs (2) and (3) may also be expressed by the interested local executive authorities in the location of the investment and/or State-owned or municipal-owned corporations.

(5) (Amended, SG No. 36/2014, effective 25.04.2014, supplemented, SG No. 80/2025, effective 30.09.2025) A document certifying a commitment referred to in Paragraphs (2) and (3) may be a contract for acquisition of a right in rem to a land tract within the territory of the industrial zone or the industrial park, a preliminary contract for acquisition of a right in rem to a land tract of the industrial zone or the industrial park, a lease, a memorandum, an agreement or a joint declaration of intent mentioning the commitment assumed or incorporation of a company according to Article 357 of the Obligations and Contracts Act, a memorandum of association, articles of association or another applicable instrument of incorporation.

(6) (New, SG No. 24/2013, effective 12.03.2013, amended, SG No. 36/2014, effective 25.04.2014, SG No. 88/2015, effective 13.11.2015) In the cases of an applicant under Paragraph (2), the memorandum or the agreement under Article 67 herein may furthermore indicate the name of the investor or investors enlisted and the parameters of the investment project thereof.

(7) (Renumbered from Paragraph (6), supplemented, SG No. 24/2013, effective 12.03.2013, amended, SG No. 36/2014, effective 25.04.2014) In the cases of an applicant under Paragraph (3), the memorandum or the agreement under Article 67 herein shall furthermore indicate the persons referred to Item 1 to 5 of Paragraph (3).

(8) (Renumbered from Paragraph (7), SG No. 24/2013, effective 12.03.2013, repealed, SG No. 36/2014, effective 25.04.2014).

Article 66. (New, SG No. 62/2010) (1) (Amended, SG No. 80/2025, effective 30.09.2025) Priority investment projects may be promoted by a package of measures referred to in Article 22f (3) of the IPA which include:

1. shortened waiting time for administrative services according to the procedure established by Article 21 of the IPA;
  2. individualised administrative services necessary for the implementation of the investment project under the terms and according to the procedure established by Article 22 of the IPA and Chapter Three of these Regulations;
  3. acquisition of a right of ownership or limited rights in rem to corporeal immovables without an auction or a competitive bidding procedure, including at prices lower than the market ones, i.e. at the tax assessed value, as well as exemption from stamp duties upon alteration of the assigned use of the land under the terms and according to the procedure established by Article 22a and Chapters Four and Seven of these Regulations;
  4. financial support for construction of physical-infrastructure elements according to the procedure established by Article 22b of the IPA and Chapter Five of these Regulations;
  5. (amended, SG No. 24/2013, effective 12.03.2013) financial support for:
    - (a) (amended, SG No. 80/2025, effective 30.09.2025) training within the meaning of Article 31 of Regulation (EU) No. 651/2014, including of interns from the higher schools in Bulgaria, who have filled the new posts related to the investments according to the procedure established by Article 22c of the IPA and Chapter Six of these Regulations;
    - (b) partial reimbursement of the compulsory social-security contributions made and borne by the investor in the capacity thereof as employer for public social insurance, for supplementary compulsory retirement insurance and for compulsory health insurance for newly recruited factory and office workers according to the procedure established by Article 22e of the IPA and Chapter Seven A of these Regulations;
  6. institutional support under Article 22g (1) of the IPA by setting up the inter-departmental working group for administrative support of a priority investment project for the period of validity of the certificate in a complement designated by the Council of Ministers decision referred to in Article 68 (3) herein;
  7. (new, SG No. 70/2018, repealed, renumbered from Item 8, amended, SG No. 80/2025, effective 30.09.2025) providing grant financial aid for priority investment projects in conjunction with Item 1 (b) of Article 22f (3) of the IPA in the following cases and under the following conditions:
    - (a) (supplemented, SG No. 82/2022, effective 14.10.2022, amended, SG No. 59/2025, effective 22.07.2025, SG No. 80/2025, effective 30.09.2025) up to 50 per cent maximum aid intensity for investments in education and scientific research and development (with Codes Q 85 and N 72 under KID 2025), but not more than the maximum permissible regional aid intensity in accordance with the provision of Article 53 (1) herein, where not less than 25 per cent of the threshold amount of the investment set for priority projects under Article 63 (4) or (6) herein has been executed and up to the third year from the start of works/activity on the investment project;
    - (b) (amended, SG No. 88/2015, effective 13.11.2015, SG No. 95/2020, effective 6.11.2020, supplemented, SG No. 80/2025, effective 30.09.2025) up to the maximum aid intensity threshold for investments in manufacturing according to Item 1 of Article 2 (2) and Article 2 (5) and (6) herein, for an initial investment within the meaning of Item 49(a) Article 2 of Regulation (EU) No. 651/2014;
    - (c) (amended, SG No. 88/2015, effective 13.11.2015) the intensity of the aid provided under Litterae (a) and (b) shall be calculated as a percentage of the eligible costs of tangible and intangible assets under Article 54 herein for the investment in accordance with the requirements of Article 14(4)(a) of Regulation (EU) No. 651/2014;
    - (d) (amended, SG No. 88/2015, effective 13.11.2015) fulfilment of all other conditions for granting regional aid according to the procedure established by Chapters One and Seven of these Regulations in accordance with the requirements of Regulation (EU) No. 651/2014.
- (2) (Repealed, SG No. 80/2025, effective 30.09.2025).

(3) The Council of Ministers shall determine the priority investment projects and the measures under Paragraph (1) whereby the said projects are promoted by the decision on approval of the memorandum or agreement according to the procedure established by Article 67 herein.

(4) (Amended, SG No. 24/2013, effective 12.03.2013) The resources from the State budget required for the application of the measures under Paragraph (1) shall be envisaged annually by the State Budget of the Republic of Bulgaria Act on the basis of the memoranda/agreements approved by the Council of Ministers.

(5) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) On a motion by the Minister of Innovation and Growth, the Council of Ministers may allocate resources for application of the financial measures for promotion of the priority investment projects under Items 4, 5 and 8 of Paragraph (1) according to the approved memorandum or agreement referred to in Article 67 herein.

(6) (Amended, SG No. 36/2014, effective 25.04.2014, repealed, SG No. 95/2020, effective 6.11.2020).

(7) (Amended, SG No. 24/2013, effective 12.03.2013, supplemented, SG No. 88/2015, effective 13.11.2015, repealed, SG No. 80/2025, effective 30.09.2025).

Article 66a. (New, SG No. 95/2020, effective 6.11.2020, amended, SG No. 43/2022, effective 10.06.2022) An inter-departmental working group for institutional support may be set up for the purpose of assisting the investment decision of a potential investor intending to implement a project of importance for the national economy. The complement of any such working group shall be determined by a Council of Ministers decision on a proposal by the Minister of Innovation and Growth.

Article 67. (New, SG No. 62/2010) (1) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) The Minister of Innovation and Growth shall lay before the Council of Ministers a motion for approval of a memorandum or agreement of understanding between the Government of the Republic of Bulgaria and the investor applying for the performance of a priority investment project.

(2) The memorandum or agreement referred to in Paragraph (1) shall contain:

1. parties to and subject matter of the memorandum/agreement;
2. title of the investment project;
3. principal rights and obligations;
4. type and amount of the investment;
5. time limit for performance of the investment project and period for maintenance of the investment;
6. (supplemented, SG No. 82/2022, effective 14.10.2022) description of the investment promotion measures and an explicit provision to the effect that the date of conclusion of a contract for granting State aid and/or de minimis aid is the date of granting of the said aid;
7. (amended and supplemented, SG No. 88/2015, effective 13.11.2015, amended, SG No. 95/2020, effective 6.11.2020) size and parameters of the immovable referred to in Item 3 of Article 66 (1) herein;
8. indicative time limit and parameters of the project for construction of the infrastructure and provision of the financial resources;
9. (amended, SG No. 88/2015, effective 13.11.2015, SG No. 82/2022, effective 14.10.2022, SG No. 80/2025, effective 30.09.2025) an indicative time limit and parameters of the project for training of not fewer than 30 persons and an indicative time limit for the provision of a grant, subject to fulfilment of all requirements for training State aid according to Chapter Six herein;
10. (supplemented, SG No. 88/2015, effective 13.11.2015, amended, SG No. 80/2025, effective 30.09.2025) indicative values of the financial support under Item 7 of Article 66 (1) herein, the procedure and method for allocation of financial resources, subject to fulfilment of all requirements of the regional investment aid scheme according to the procedure established by these Regulations;
11. (repealed, SG No. 82/2022, effective 14.10.2022);

12. (repealed, SG No. 82/2022, effective 14.10.2022);
  13. (repealed, SG No. 82/2022, effective 14.10.2022);
  14. (repealed, SG No. 82/2022, effective 14.10.2022);
  15. methods of settlement of disputes between the parties;
  16. (supplemented, SG No. 24/2013, effective 12.03.2013) grounds for early termination or rescission and rights of the party not at fault;
  17. (new, SG No. 95/2020, effective 6.11.2020, amended, SG No. 82/2022, effective 14.10.2022) maximum values of the amount of State aid which may be granted, in case the granting of such aid is planned;
  18. (renumbered from Item 17, SG No. 95/2020, effective 6.11.2020) other elements on which the parties have reached agreement.
- (3) The following shall be an integral part of the memorandum/agreement referred to in Paragraph (2):
1. (amended, SG No. 82/2022, effective 14.10.2022) description of the investment project and the basic parameters thereof with regard to the investment, the job, economic activity code for the project, time limit for execution, and timetable for the work;
  2. draft contract/s as a basis for the conduct of negotiations between the parties, if such contract/s has/have been proposed by the parties.
- (4) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022, SG No. 82/2022, effective 14.10.2022) The conditions under which a request may be submitted for application of the relevant promotion measure by means of concluding a contract may be agreed in the agreement referred to in Paragraph (2).
- (5) (New, SG No. 82/2022, effective 14.10.2022) A separate contract with the relevant content provided for in these Regulations shall be concluded for each promotion measure that is provided for.

Article 68. (New, SG No. 62/2010) (1) (Amended, SG No. 24/2013, effective 12.03.2013) A priority investment project certificate shall be issued on the basis of the Council of Ministers Decision on approval of a memorandum or agreement, containing the essential elements covered under Article 16 (2) herein.

(2) (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022, SG No. 82/2022, effective 14.10.2022) 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 person empowered by the Council of Ministers Decision in accordance with Article 14 (3) of the IPA.

(3) If a measure for institutional support under Item 6 of Article 66 (1) herein has been applied for, the Council of Ministers Decision shall also endorse the order on the composition of the inter-departmental group with the specific persons from the central and local executive authorities in the location of the investment, from the academic community, including not-for-profit legal entities incorporated and registered in accordance with the Not-for-Profit Legal Entities Act (NPLEA). In the case of establishment of a technology parks, the legal entities under the NPLEA must have a core activity in the field of development of science and technology.

Article 68a. (New, SG No. 82/2022, effective 14.10.2022) (1) (Amended, SG No. 80/2025, effective 30.09.2025) The Council of Ministers shall adopt a decision approving the draft contracts for granting regional investment aid under Item 7 of Article 66 (1) herein and shall authorise the Minister of Innovation and Growth to conclude a contract with the persons and/or with the combination referred to in Article 17 of the IPA.

(2) The contract referred to in Paragraph (1) shall mandatorily contain all requirements of the IPA regarding the investment project and the investor, as well as the conditions and requirements for the allocation of financial resources under the regional investment aid scheme:

1. subject matter of the contract;
2. contracting parties;

3. title of the investment project;
  4. principal rights and obligations;
  5. type and amount of the investment;
  6. time limit for execution of the investment project and period for maintenance of the investment;
  7. number of new jobs to be created under the project;
  8. the amount of the aid and the indicative timing for payment of the said aid;
  9. the procedure and terms for:
    - (a) termination of the contract and full repayment of the aid in case of non-compliance with, or violation of, any provisions of Regulation (EU) No. 651/2014 or the conditions of the scheme whereunder the aid is granted, non-fulfilment of the obligation to implement and/or maintain the investment and the jobs created under the project in accordance with the set minimum thresholds applicable upon certification;
    - (b) partial repayment of the aid in the cases other than those referred to in Littera (a);
  10. manner of reporting the execution of the project;
  11. type and amount of the collateral to be furnished for fulfilment of the obligations under the contract;
  12. type and amount of the liability incurrable for non-fulfilment of the obligations under the contract;
  13. control over the fulfilment of the obligations by the parties;
  14. methods of settlement of disputes between the parties;
  15. grounds for early termination of the contract and the rights of the party not at fault;
  16. other elements on which the parties have reached agreement.
- (3) The investment project shall constitute an integral part of the contract referred to in Paragraph (1).
- (4) The requirements of Articles 7, 8 and 14 of the Regulation shall apply to eligible costs, cumulation of aids and aid intensity when granting regional investment and employment aids.
- (5) (New, SG No. 80/2025, effective 30.09.2025) Collateral, which may be a guarantee, a registered pledge or a mortgage, shall be furnished under Item 11 of Paragraph (2) for the period referred to in Item 4 of Article 12 (2) of the IPA. Any such type of collateral shall be furnished for the period until the reporting of the execution of the investment project with regard to commissioned assets and appointed employees. The furnishing of another type of collateral may be agreed for the period of maintenance of the investment under Item 8 of Article 12 (2) of the IPA.

## **Chapter Eight "a"**

**(New, SG No. 59/2025, effective 22.07.2025)**

# **NATIONAL SCREENING MECHANISM FOR FOREIGN DIRECT INVESTMENTS ON THE GROUNDS OF SECURITY OR PUBLIC ORDER**

## **Section I**

**(New, SG No. 59/2025, effective 22.07.2025)**

# **Competent Authority for Screening of Foreign Direct Investments**

Article 68b. (New, SG No. 59/2025, effective 22.07.2025) (1) The Interagency Council on Screening of Foreign Direct Investment shall be the competent authority established pursuant to Article 27c (1) of the IPA, which shall grant an authorisation to make a foreign direct investment

falling within the scope of Article 27 of the IPA and of the activities indicated in Article 4(1) of Regulation (EU) 2019/452.

(2) The list of named members of the Interdepartmental Screening Council shall be determined by a decision of the Council of Ministers acting on a proposal by the heads of the central-government departments concerned as indicated in Article 27c (2) of the IPA.

(3) The list referred to in Paragraph (2) shall comprise members and substitutes. In the absence of a member, the substitute thereof, pre-specified in the instrument determining the list of named members of the Council, shall deputise for the said member and shall enjoy all the rights and shall assume all the obligations thereof.

(4) The members of the Interagency Screening Council shall represent the central-government department in the ambit of the competence thereof, shall have the right of access to all levels of classified and foreign classified information within the competence thereof respecting the "need to know" principle and must possess high integrity and ethics.

## **Section II**

**(New, SG No. 59/2025, effective 22.07.2025)**

### **Procedure for Submission of Application for Granting Authorisation to Make Foreign Direct Investment**

Article 68c. (New, SG No. 59/2025, effective 22.07.2025) (1) A foreign investor intending to make a foreign direct investment under Article 27 (1) of the IPA shall submit an application in a standard form according to Annex 3 hereto for granting an authorisation according to the procedure established by Article 27b of the IPA.

(2) The application for granting an authorisation to make a foreign direct investment shall be submitted by the investor to the InvestBulgaria Agency in writing on a paper-based or electronic data medium, in Bulgarian with a translation into English. The documents accompanying the application should be consistent with the particulars as entered and noted in the application.

(3) The application referred to in Article 27b of the IPA shall be signed by the applicant or by an expressly authorised representative thereof, who submits the said application, and shall be accompanied by the following documents:

1. a cover letter, wherein the person submitting the application indicates the capacity in which the said person submits the said application;
2. an express notarised power of attorney, where the application is not submitted in a personal capacity or by the person representing the investor;
3. an instrument of incorporation of the foreign investor according to the applicable legislation, which is current by the date of submission of the application;
4. documents containing data on the structure and ownership of the investor and of the undertaking in which the foreign direct investment is planned, substantiating the particulars referred to in Items 2.7, 2.8, 2.9, 2.10 and 3.24 of Annex 3 to the present Regulations;
5. documents containing information on the ultimate investor and on the participation thereof in the capital of the applicant, including data on the size and type of the shareholding;
6. documents containing information on the approximate value of the foreign direct investment and the date when the investment is planned to be completed;
7. documents containing data on the funding of the foreign direct investment and the source of the said funding;
8. a description of the governance and organisational structure including the activities of individual organisational units, allocation of responsibilities among managing directors and other administrators, the organisation and management of the information system of the foreign investor and of the target undertaking, including the information security mechanism; where the foreign investor is part of a group, the application shall also be accompanied by a description of the

organisational structure of the group, shall be attached, including identification of the parent undertakings, financial holding companies and mixed financial holding companies within the group;

9. documents substantiating Item 3 of Annex 3 to the present Regulations, including an instrument of incorporation of the target undertaking;

10. a declaration regarding the accuracy and completeness of the information provided, constituting Annex 4 to the present Regulations.

(4) In case of a change to a declared particular after the submission of the application, the applicant shall be obliged to notify forthwith the InvestBulgaria Agency and to produce current documents substantiating the said change.

(5) The documents accompanying the application shall be produced in the original or in copies certified by the applicant or by an authorised representative thereof.

(6) The documents produced by the applicant in a foreign language, depending on the state wherefrom the said documents originate, must conform to the requirements and the relevant provisions of bilateral international treaties or of the Convention Abolishing the Requirement of Legalisation for Foreign Public Documents, or of the Regulations for Legalisations, Certifications and Translations of Documents and Other Papers, as well as be furnished with translations into Bulgarian which shall be performed and certified according to the established procedure.

(7) The applicant for granting an authorisation to make a foreign direct investment shall be responsible for the authenticity, veracity, conformity and completeness of the information and documents provided with the application.

(8) After the consistency between the information in the application and the accompanying documents has been verified, the InvestBulgaria Agency shall transmit the documentation produced by the investor to the Interagency Council on Screening of Foreign Direct Investments.

(9) Should any inconsistency be ascertained between the information in the application and the accompanying documents, the InvestBulgaria Agency shall notify the investor to remedy the said inconsistencies within the time limits provided for in the law.

### **Section III**

**(New, SG No. 59/2025, effective 22.07.2025)**

## **Procedure for Consideration by Interagency Screening Council of Application for Granting Authorisation to Make Foreign Direct Investment**

Article 68d. (New, SG No. 59/2025, effective 22.07.2025) (1) The procedure for consideration by the Interagency Screening Council of an application to make a foreign direct investment shall commence by a registration of the application together with the accompanying documents by the secretariat of the Interagency Council immediately upon receipt of the said application and documents by the InvestBulgaria Agency.

(2) Any alerts, opinions and reasoned proposals received according to the procedure established by Article 27 (5) and Article 27d (2) and (3) of the IPA shall be filed by the secretariat immediately upon receipt and shall be verified according to the standard procedure for consideration of applications received under Paragraph (1).

(3) The Interagency Screening Council may ex officio institute verification proceedings for a new or completed foreign direct investment in the cases provided for by the law.

Article 68e. (New, SG No. 59/2025, effective 22.07.2025) (1) The secretariat referred to in Article 27c (4) of the IPA shall organise the activity of the Interagency Council after the receipt of an application under Article 68c herein and, to this end:

1. shall receive and register the applications to make foreign direct investments submitted care of the InvestBulgaria Agency according to the procedure established by Article 27a of the IPA

together with the accompanying documents, notifying within three days the members of the Council of an application received;

2. shall prepare, within 14 days, a reasoned proposal to the Interagency Screening Council:

(a) on non-objection to making the investment;

(b) for the conduct of due diligence of the investment.

(2) The proposals under Paragraph (1) shall be prepared on the basis of the criteria indicated in Article 4 of Regulation (EU) 2019/452, taking into consideration the following factors:

1. whether the foreign direct investment is likely to affect security or public order, considering the potential effects of the said investment on:

(a) critical infrastructure, whether physical or virtual, including energy, transport, water, health, communications, media, data processing or storage, aerospace, defence, electoral or financial infrastructure, and sensitive facilities, as well as land and real estate crucial for the use of such infrastructure;

(b) critical technologies and dual use items as defined in point 1 of Article 2 of Regulation (EU) 2021/821 of the European Parliament and of the Council of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items, including artificial intelligence, robotics, semiconductors, cybersecurity, aerospace, defence, energy storage, quantum and nuclear technologies as well as nanotechnologies and biotechnologies;

(c) supply of critical inputs, including energy or raw materials, inter alia activities associated with crude oil and petroleum-derived products, as well as food security;

(d) access to sensitive information, including personal data, or the ability to control such information; or

(e) the freedom and pluralism of the media.

2. whether the foreign direct investment is likely to affect security or public order, taking into account in particular:

(a) whether the foreign investor is directly or indirectly controlled by the government, including state bodies or armed forces, of a third country, including through ownership structure or significant funding;

(b) whether the foreign investor has already been involved in activities affecting security or public order in a Member State; or

(c) whether there is a serious risk that the foreign investor engages in illegal or criminal activities.

Article 68f. (New, SG No. 59/2025, effective 22.07.2025) (1) Within ten days of receipt of the proposal referred to in Item 2 of Article 68e (1) herein together with the application to make a foreign direct investment, all documents accompanying the said applications and the opinions expressed by other authorities and institutions or external experts, the Interagency Screening Council shall adopt a decision:

1. admitting the making of the investment without due diligence;

2. on conduct of due diligence.

(2) The Interagency Screening Council shall have the right to require opinions from other authorities and institutions whose representatives are not included in the complement thereof.

(3) Should an expert opinion be necessary, the Interagency Screening Council, based on selection criteria of its own, may recruit consultants with special knowledge whereof the participation in the assessment of the investment does not entail a conflict of interest or a risk of a technological information leak and does not affect the interests of the investor. The opinions shall be of a consultative nature and shall be sent to the Interdepartmental Screening Council not later than 10 days after receipt of the request.

(4) Immediately before granting an authorisation to make a foreign direct investment, the Interagency Screening Council, care of the secretariat therewith, may request up-to-date information and documents from the investor for the purpose of a final assessment.

Article 68g. (New, SG No. 59/2025, effective 22.07.2025) (1) Where no objection on the part of a member of the Interagency Screening Council has been received within seven days after

the dispatch of the reasoned proposal referred to in Item 2 (a) of Article 68e (1) herein admitting the making of the investment without due diligence, an authorisation to make a foreign direct investment shall be granted.

(2) Upon receipt of an objection from a member of the Interagency Screening Council with regard to the making of the investment, as well as on a proposal from the secretariat for due diligence, the Interagency Screening Council shall conduct due diligence of the investment and of the investor.

Article 68h. (New, SG No. 59/2025, effective 22.07.2025) (1) The due diligence of the investment and the investor shall be implemented by the Interagency Screening Council within the time limits for ruling under Article 27f (2) of the IPA and without prejudice to the rest of the authorisations according to the procedure established by the said Act or other laws. After the conduct of the due diligence, the Interagency Screening Council shall adopt a final decision whereby:

1. the Council shall grant an authorisation for making a foreign direct investment;
  2. the Council shall grant a conditional authorisation for making a foreign direct investment;
  3. the Council shall reject the application for granting a foreign direct investment authorisation.
- (2) The authorisation referred to in Item 2 of Paragraph (1) shall be preceded by the conduct of negotiations between the investor and an empowered representative of the Interagency Screening Council. The empowerment shall be implemented by a decision of the Interagency Screening Council, which shall be adopted by a simple majority of all members and which shall indicate the specific powers that are vested in the representative.
- (3) The negotiations shall commence after the opening of an invitation from the empowered person to the investor and shall continue not later than ten days before the expiry of the time limits referred to in Article 27f (2) and (9) of the IPA.
- (4) The negotiations shall be carried out in writing, via an exchange of correspondence, and shall be concluded by a final agreement signed by the investor and the empowered representative of the Interagency Screening Council, which shall constitute an integral part of the authorisation to make a foreign direct investment.
- (5) If the negotiations result in reaching agreement on restrictive measures within the meaning given by Item 2 of Article 27f (2) of the IPA, the Interagency Screening Council shall issue a conditional decision on making a foreign direct investment subject to the imposition of restrictive measures, which must be indicated in the decision.
- (6) In case no agreement is reached within the time limit referred to in Paragraph (3), the parties shall sign a memorandum on the negotiations held, the negotiations shall be discontinued, and the Interagency Screening Council shall refuse to grant a foreign direct investment authorisation.

## **Chapter Nine**

### **(New, SG No. 62/2010)**

# **CONTROL OVER THE PERFORMANCE OF INVESTMENT PROJECTS**

Article 69. (New, SG No. 62/2010, amended, SG No. 24/2013, effective 12.03.2013) (1) (Amended, SG No. 80/2025, effective 30.09.2025) Control over the execution of investment projects shall be exercised by:

1. (amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022, SG No. 80/2025, effective 30.09.2025) the Executive Director of the Agency regarding the execution of investment projects which have been awarded a Class A and Class B investment certificate;
2. (amended, SG No. 80/2025, effective 30.09.2025) 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) (Supplemented, SG No. 80/2025, effective 30.09.2025) The control referred to in Item 1 of Paragraph (1) shall be implemented in respect of the execution of the investment in terms of threshold amount of the commissioned assets and/or minimum number of new jobs created and period in the respective economic activity. Immediately after the start of works on the project within the meaning given by Item 8 of § 1 of the Supplementary Provisions of the IPA, the investor shall be obliged to notify the Agency, enclosing the relevant document certifying the date of start of works on the project, as well as information on the average number of employees on payroll for the 12-month period before the said date. Within three months after the expiry of the period for execution of the investment as specified in Item 4 of Article 12 (2) of the IPA, the investor shall be obliged to provide the Agency with the relevant supporting documents under Paragraph (3) and/or (4).

(3) (Supplemented, SG No. 95/2020, effective 6.11.2020, amended, SG No. 82/2022, effective 14.10.2022, amended and supplemented, SG No. 80/2025, effective 30.09.2025) The amount of the investments made shall be certified for the accounting period by a fact-finding report, documents on commissioned assets and an annual/interim financial statement according to the procedure established by the Accountancy Act. Information completed in a standard form (published on the Internet site of the IBA [InvestBulgaria Agency] and the MIG [Ministry of Innovations and Growth]), describing the project assets and the value thereof, shall be attached to the financial statement. The said information shall be prepared in accordance with the rules for recognition of tangible/intangible fixed assets (current/non-current) established in the IAS [International Accounting Standards] and the NFRSSME [National Financial Reporting Standards for Small- and Medium-Sized Enterprises], and shall be certified by a registered auditor according to the Independent Financial Audit Act. The expenses on the work of the auditor shall be borne by the investor. Where necessary, the control authority referred to in Paragraph (1) may require the presentation of additional documents by the investor. For the purposes of the assessment whether the assets described in the information concern the project economic activity or another ancillary activity, the control authority referred to in Paragraph (1) may carry out a factual check as well.

(4) (Amended, SG No. 95/2020, effective 6.11.2020, supplemented, SG No. 80/2025, effective 30.09.2025) The number of persons employed full-time under the terms and according to the procedure established by the Labour Code who have filled the newly created posts shall be certified for the accounting period by a document issued by the National Revenue Agency and information presented by the investor on the employment created by the implementation of the investment project, defined as an average number of employees on payroll. Additionally, at the request of the control authority, copies of the employment contracts, copies of instruments terminating the employment relationship and notifications of such contracts and instruments according to the Labour Code, a declaration completed in a standard form on the social-security contributions remitted to the public social insurance funds, the supplementary compulsory retirement insurance funds and the National Health Insurance Fund, a copy of the payroll or information on the financial resources paid for remunerations of the persons employed, listing the said persons by name, and by other relevant documents.

(5) (New, SG No. 80/2025, effective 30.09.2025) A document certifying the execution of the investment project under Item 8 of Article 11b of the IPA shall be issued only after fulfilment of the conditions for the application of the relevant promotion measure. For the purposes of verification, the Agency may require information from the authority providing the promotion measure.

(6) (Renumbered from Paragraph (5), SG No. 80/2025, effective 30.09.2025) Control over the execution of investment projects of municipal importance for which a Class C certificate has been issued under Article 22h of the IPA shall be implemented by the municipality mayor or by an official empowered thereby according to the procedure established by this Chapter.

(7) (Renumbered from Paragraph (6), SG No. 80/2025, effective 30.09.2025) The municipality mayor or an official empowered thereby shall prepare an annual report on the Class C investment certificates issued and the promotion measures provided, which the mayor shall present to the Regional Governor and to the Executive Director of the InvestBulgaria Agency, and the Agency

shall include the said report in the annual report thereof on investment in Bulgaria referred to in Item 5 of Article 11b of the IPA.

Article 70. (New, SG No. 62/2010) Control over the performance of priority investment projects shall be exercised by:

1. the authority designated by a Council of Ministers Decision, or
2. (amended, SG No. 36/2014, effective 25.04.2014, SG No. 40 of 2015, SG No. 43/2022, effective 10.06.2022, SG No. 80/2025, effective 30.09.2025) the Minister of Innovation and Growth or by an official empowered thereby or by another authority providing the aid;
3. (repealed, SG No. 80/2025, effective 30.09.2025).

Article 71. (New, SG No. 95/2020, effective 6.11.2020) (1) Control over the performance of contracts concluded for the application of the measures referred to in Articles 22a, 22b, 22c, 22e and 22f of the IPA shall be regulated in the relevant contract.

(2) The amount of the costs of acquisition of tangible and intangible fixed assets under the project shall be confirmed by a registered auditor.

(3) (Amended, SG No. 82/2022, effective 14.10.2022) In the contracts referred to in Articles 22c and 22e of the IPA, the amount of eligible costs and the fulfilment of the requirements regarding the creation and maintenance of employment and the costs of remunerations, social and health insurance and/or training shall be confirmed by a registered auditor on the basis of clear, specific and up-to date documentary evidence.

## **SUPPLEMENTARY PROVISIONS**

§ 1. Within the meaning given by these Regulations:

1. (Repealed, SG No. 82/2022, effective 14.10.2022).

1a. (New, SG No. 82/2022, effective 14.10.2022, amended, SG No. 80/2025, effective 30.09.2025) "Regulation (EU) No. 651/2014" within the meaning given by these Regulations shall be 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), as amended by Commission Regulation (EU) 2017/1084 of 14 June 2017 amending Regulation (EU) No. 651/2014 as regards aid for port and airport infrastructure, notification thresholds for aid for culture and heritage conservation and for aid for sport and multifunctional recreational infrastructures, and regional operating aid schemes for outermost regions and amending Regulation (EU) No. 702/2014 as regards the calculation of eligible costs (OJ L 156/1 of 20 June 2017), Commission Regulation (EU) 2020/972 of 2 July 2020 amending Regulation (EU) No. 1407/2013 as regards its prolongation and amending Regulation (EU) No. 651/2014 as regards its prolongation and relevant adjustments (OJ L 215 of 7 July 2020), Commission Regulation (EU) 2021/1237 of 23 July 2021 (OJ L 270 of 29 July 2021), Commission Regulation (EU) 2023/917 of 4 May 2023 (OJ L 119 of 5 May 2023) and Commission Regulation (EU) 2023/1315 of 23 June 2023 (OJ L167 of 30 June 2023), (OB, L 270 of 29 July 2021), Commission Regulation (EU) 2023/917 of 4 May 2023.

1b. (New, SG No. 82/2022, effective 14.10.2022, amended, SG No. 80/2025, effective 30.09.2025) "Regulation (EU) No. 2023/2831" within the meaning given by these Regulations shall be Commission Regulation (EU) No. 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 2831 of 15 December 2023).

1c. (New, SG No. 59/2025, effective 22.07.2025) "Regulation (EU) 2019/452" within the meaning given by these Regulations shall be 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.

2. (Amended, SG No. 80/2025, effective 30.09.2025) "Collateral" shall be any suretyship, bond, registered pledge, mortgage or promissory note which secures the fulfilment of an obligation under the contracts governed by these Regulations.
3. (Amended and supplemented, SG No. 20/2009, effective 17.03.2009, amended, SG No. 88/2015, effective 13.11.2015, SG No. 59/2025, effective 22.07.2025, SG No. 80/2025, effective 30.09.2025) "Large investment project" shall mean an initial investment with eligible costs exceeding EUR 50 million, calculated at prices and exchange rates by the date of granting of the aid.
4. (Amended, SG No. 88/2015, effective 13.11.2015) "Aid intensity in present gross grant equivalent of the aid" shall be the discounted value of the aid expressed as a percentage of the discounted value of the eligible costs at the applicable discount interest rate set by the European Commission at the time of grant of the aid.
5. "Market price" shall be the price at which the corporeal immovable should have been sold or the limited right in rem should have been created by virtue of a private contract between the seller and the potential buyer on the day of the appraisal, provided that the property was offered publicly, that the market conditions allow a normal transfer, and a normal period of time is available for conduct of the negotiations on sale consistent with the nature of the property.
6. (Repealed, SG No. 88/2015, effective 13.11.2015).
7. (Repealed, SG No. 88/2015, effective 13.11.2015).
8. (Amended, SG No. 20/2009, effective 17.03.2009, SG No. 88/2015, effective 13.11.2015) "Small and medium-sized enterprises" shall be the enterprises which satisfy the criteria defined in Annex I to Regulation (EU) No. 651/2014.
9. (New, SG No. 20/2009, effective 17.03.2009, amended, SG No. 88/2015, effective 13.11.2015) "Large enterprises" shall be the enterprises which do not satisfy the criteria defined in Annex I to Regulation (EU) No. 651/2014.
10. (New, SG No. 20/2009, effective 17.03.2009, amended, SG No. 88/2015, effective 13.11.2015) "Undertaking in difficulty" shall be an undertaking in respect whereof at least one of the following circumstances is fulfilled:
  - (a) (Amended, SG No. 80/2025, effective 30.09.2025) In the case of a limited liability company (other than an SME that has been in existence for less than 3 years or, for the purposes of eligibility for risk finance aid, an SME that fulfils the condition in Article 21(3), point (b) of Regulation (EU) No. 615/2014, and qualifies for risk finance investments following due diligence by the selected financial intermediary), where more than half of the subscribed share capital thereof has disappeared as a result of accumulated losses. This is the case when deduction of accumulated losses from reserves (and all other elements generally considered as part of the own funds of the company) leads to a negative cumulative amount that exceeds half of the subscribed share capital. For the purposes of this provision, "limited liability company" shall refer in particular to the types of company mentioned in Annex I to Directive 2013/34/EU of the European Parliament and of the Council and "share capital" shall include, where relevant, any share premium;
  - (b) (Amended, SG No. 80/2025, effective 30.09.2025) In the case of a company where at least some of the members thereof have unlimited liability for the debt of the company (other than an SME that has been in existence for less than three years or, for the purposes of eligibility for risk finance aid, an SME that fulfils the condition in Article 21(3), point (b) of Regulation (EU) No. 615/2014, and qualifies for risk finance investments following due diligence by the selected financial intermediary), where more than half of the capital thereof as shown in the company accounts has disappeared as a result of accumulated losses; for the purposes of this provision, "a company where at least some of its members have unlimited liability for the debt of the company" shall refer in particular to the types of company mentioned in Annex II to Directive 2013/34/EU;
  - (c) where the undertaking is subject to collective insolvency proceedings or fulfils the criteria under its domestic law for being placed in collective insolvency proceedings at the request of its creditors;
  - (d) where the undertaking has received rescue aid and has not yet reimbursed the loan or terminated the guarantee, or has received restructuring aid and is still subject to a restructuring plan;
  - (e) in the case of an undertaking that is not an SME, where, for the past two years

- (aa) the undertaking's book debt to equity ratio has been greater than 7.5, and  
(bb) the undertaking's EBITDA interest coverage ratio has been below 1.0.
11. (New, SG No. 20/2009, effective 17.03.2009, amended, SG No. 88/2015, effective 13.11.2015) "Aid intensity" shall mean the gross aid amount expressed as a percentage of the eligible costs before any deduction of tax or other charge.
12. (New, SG No. 62/2010) "Executive authorities", "central and local executive authorities" shall be those defined in Article 19 of the Administration Act.
13. (New, SG No. 62/2010) "Administrative authority" shall be any authority appertaining to the system of the executive branch of government, as well as any holder of administrative powers empowered in pursuance of a law within the meaning given by Item 1 of § 1 of the Supplementary Provision of the Administrative Procedure Code.
14. (New, SG No. 62/2010, amended, SG No. 80/2025, effective 30.09.2025) "Investor" shall be any legal person and/or organisation or organisations which applies or apply for the award of an investment class certificate or implements or implement a project which has been awarded an investment class certificate according to the procedure established by the Investment Promotion Act.
15. (New, SG No. 62/2010) "Organisation" shall be a legal person or an association of legal or natural persons, which is organisationally distinct, within the meaning given by Item 2 of § 1 of the Supplementary Provision of the Administrative Procedure Code.
16. (New, SG No. 62/2010, amended, SG No. 24/2013, effective 12.03.2013) "Average annual number of employees" shall be the employment created and maintained for the relevant financial year, defined according to the methodology for calculation of the annual and average annual size of personnel of the National Statistical Institute and reflected 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. 62/2010, amended, SG No. 24/2013, effective 12.03.2013, SG No. 88/2015, effective 13.11.2015) For the purposes of calculating the intensity of State aid payable in several instalments and eligible costs, such aid and costs shall be discounted to their value at the moment of granting the aid using the discount interest rate used for the needs of State aid. The effective discount interest rate for the needs of State aid is indicated at the following electronic address: <https://stateaid.minfin.bg/bg/page/424>. According to the methodology for setting the discount interest rate in Communication from the Commission on the revision of the method for setting the reference and discount rates (OJ, C 14/02, 19.01.2008), to take account of significant and sudden variations, a periodic update shall be made.
18. (New, SG No. 88/2015, effective 13.11.2015, amended, SG No. 80/2025, effective 30.09.2025) "Same or a similar activity" shall mean an activity in the same class (four-digit numerical code) of the NACE Rev. 2 Statistical classification of economic activities (NACE Rev. 2).
19. (New, SG No. 88/2015, effective 13.11.2015) "Gross grant equivalent" means the amount of the aid if it had been provided in the form of a grant to the beneficiary, before any deduction of tax or other charge;
20. (New, SG No. 88/2015, effective 13.11.2015) "Worker with disabilities" means any person who:
- (a) is recognised as worker with disabilities under national law; or
  - (b) has long-term physical, mental, intellectual or sensory impairment(s) which, in interaction with various barriers, may hinder their full and effective participation in a work environment on an equal basis with other workers.
21. (New, SG No. 88/2015, effective 13.11.2015) "Disadvantaged worker" means any person who:
- (a) has not been in regular paid employment for the previous 6 months; or
  - (b) is between 15 and 24 years of age; or
  - (c) has not attained an upper secondary educational or vocational qualification (International Standard Classification of Education 3) or is within two years after completing full-time education and who has not previously obtained his or her first regular paid employment; or

- (d) is over the age of 50 years; or
- (e) lives as a single adult with one or more dependents; or
- (f) works in a sector or profession in a Member State where the gender imbalance is at least 25 per cent higher than the average gender imbalance across all economic sectors in that Member State, and belongs to that underrepresented gender group; or
- (g) is a member of an ethnic minority within a Member State and who requires development of his or her linguistic, vocational training or work experience profile to enhance prospects of gaining access to stable employment.

22. (New, SG No. 88/2015, effective 13.11.2015, supplemented, SG No. 82/2022, effective 14.10.2022, amended, SG No. 80/2025, effective 30.09.2025) "Adjusted aid amount" shall mean the maximum permissible aid amount for a large investment project, calculated according to the following formula:

adjusted aid amount =  $R \times (A + 0.50 \times B + 0 \times C)$ , where: "R" is the maximum aid intensity applicable in the area concerned, excluding the increased aid intensity for SMEs; "A" is the part of eligible costs equal to EUR 55 million; "B" is the part of eligible costs between EUR 55 million and EUR 110 million; "C" is the part of eligible costs above EUR 110 million. When regional aid is granted according to the procedure established by the Guidelines on regional State aid (OJ C 153 of 29 April 2021, p. 1), "adjusted aid amount" shall be the amount provided for in paragraph (19) (3) of the said Guidelines.

23. (New, SG No. 88/2015, effective 13.11.2015) "Evaluation plan" means a document containing at least the following minimum elements: the objectives of the aid scheme to be evaluated, the evaluation questions, the result indicators, the envisaged methodology to conduct the evaluation, the data collection requirements, the proposed timing of the evaluation including the date of submission of the final evaluation report, the description of the independent body conducting the evaluation or the criteria that will be used for its selection and the modalities for ensuring the publicity of the evaluation.

24. (New, SG No. 88/2015, effective 13.11.2015) "Aid" means any measure fulfilling all the criteria laid down in Article 107(1) of the Treaty on the Functioning of the European Union.

25. (New, SG No. 88/2015, effective 13.11.2015, amended, SG No. 95/2020, effective 6.11.2020, SG No. 80/2025, effective 30.09.2025) "Single investment project" shall be any initial investment related to the same or a similar activity started by the same beneficiary (at group level) within a period of three years from the date of start of works on another aided investment in the same level 3 region of the Nomenclature of Territorial Units for Statistics shall be considered to be part of a single investment project. Where such single investment project is a large investment project, the total aid amount for the single investment project shall not exceed the adjusted aid amount for large investment projects.

26. (New, SG No. 41/2018, effective 18.05.2018) "Move" means the transfer of the same or a similar activity or part thereof from an undertaking in one of the Contracting Parties to the EEA Agreement (original undertaking) to the undertaking in which the supported investments are made in the territory of another Contracting Party to the EEA Agreement (supported undertaking). A move exists where a product or service in the original and the supported undertaking at least partially pursues the same objectives and meets the demand or needs of the same customers and leads to the loss of jobs in the same or similar activity in one of the beneficiary's original undertakings in the EEA.

27. (New, SG No. 41/2018, effective 18.05.2018) "Group of undertakings" shall be linked enterprises within the meaning and under the conditions of Annex I of Regulation (EU) No. 651/2014.

28. (New, SG No. 82/2022, effective 14.10.2022, amended, SG No. 80/2025, effective 30.09.2025) "Initial investment":

1. "Initial investment" within the meaning given by Article 2(49)(a) of Regulation (EU) No. 651/2014 shall be an investment in tangible and intangible assets related to one or more of the following:

- the setting-up of a new establishment;
  - the extension of the capacity of an existing establishment;
  - the diversification of the output of an establishment into products or services not previously produced in the establishment, or
  - a fundamental change in the overall production process of the product or products or the overall provision of the service or services concerned by the investment in the establishment,
- and

2. "Initial investment that creates a new economic activity" within the meaning given by Article 2(51)(a) of Regulation (EU) No. 651/2014 shall be an investment in tangible and intangible assets related to one or more of the following:

- the setting-up of a new establishment;
- the diversification of the activity of an establishment, provided that the new activity is not the same or a similar activity to the activity previously performed in the establishment.

29. (New, SG No. 82/2022, effective 14.10.2022, amended, SG No. 80/2025, effective 30.09.2025) "Assisted areas" shall mean areas designated in a regional aid map that has been approved in application of Article 107(3), points (a) and (c) of the Treaty and is in force at the time of the award of the aid.

30. (New, SG No. 82/2022, effective 14.10.2022, amended, SG No. 80/2025, effective 30.09.2025) "Arm's length" shall mean that the conditions of the transaction between the contracting parties do not differ from those which would be stipulated between independent undertakings and contain no element of collusion [sic, must be collusion - Translator's Note]. Any transaction that results from an open, transparent and non-discriminatory procedure is considered as meeting the arm's length principle.

31. (New, SG No. 80/2025, effective 30.09.2025) "Completion of the investment" shall mean the moment when the investment is considered by the national authorities as completed or, in the absence thereof, three years after the start of works on the project.

32. (New, SG No. 80/2025, effective 30.09.2025) "Written" shall mean any form of written document, including electronic documents, provided that such electronic documents are recognised as equivalent under the applicable administrative procedures and legislation.

33. (New, SG No. 80/2025, effective 30.09.2025) For the purpose of de minimis aid, the previous three years, including the current year, shall be determined according to Article 3(1) and (2)(c) of Regulation (EEC, Euratom) No. 1182/71 of the Council of 3 June 1971 determining the rules applicable to periods, dates and time limits.

§ 2. (Amended and supplemented, SG No. 20/2009, effective 17.03.2009, repealed, SG No. 80/2025, effective 30.09.2025).

§ 2a. (New, SG No. 20/2009, effective 17.03.2009, amended and supplemented, SG No. 62/2010, repealed, SG No. 80/2025, effective 30.09.2025).

§ 2b. (New, SG No. 88/2015, effective 13.11.2015, amended, SG No. 80/2025, effective 30.09.2025) The economic activities and products under Article 2(5) and (6) of Regulation (EU) No. 651/2014 shall be:

1. "Steel sector" shall mean the production of one or more of the following:

(a) pig iron and ferro-alloys: pig iron for steelmaking, foundry and other pig iron, spiegeleisen and high-carbon ferro-manganese, not including other ferro-alloys;

(b) crude and semi-finished products of iron, ordinary steel or special steel: liquid steel cast or not cast into ingots, including ingots for forging semi-finished products: blooms, billets and slabs; sheet bars and tinplate bars; hot-rolled wide coils, with the exception of production of liquid steel for castings from small and medium-sized foundries;

(c) hot finished products of iron, ordinary steel or special steel: rails, sleepers, fishplates, soleplates, joists, heavy sections of 80 mm and over, sheet piling, bars and sections of less than 80 mm and flats of less than 150 mm, wire rod, tube rounds and squares, hot-rolled hoop and strip (including tube strip), hot-rolled sheet (coated or uncoated), plates and sheets of 3 mm thickness and over,

universal plates of 150 mm and over, with the exception of wire and wire products, bright bars and iron castings;

(d) cold finished products: tinplate, terneplate, blackplate, galvanised sheets, other coated sheets, cold-rolled sheets, electrical sheets and strip for tinplate, cold-rolled plate, in coil and in strip;

(e) tubes: all seamless steel tubes, welded steel tubes with a diameter of over 406.4 mm.

2. "Transport sector" shall mean the transport of passengers by aircraft, maritime transport, road or rail and by inland waterway or freight transport services for hire or reward; more specifically, the "transport sector" means the following activities under NACE Rev. 2:

(a) NACE 49: Land transport and transport via pipelines, excluding NACE 49.32 Taxi operation, 49.39 Operation of teleferics, funiculars, ski and cable lifts if not part of urban or suburban transit systems, 49.42 Removal services, 49.5 Transport via pipeline;

(b) NACE 50: Water transport;

(c) NACE 51: Air transport, excluding NACE 51.22 Space transport.

3. "Marketing of agricultural products" shall mean holding or display with a view to sale, offering for sale, delivery or any other manner of placing on the market, except the first sale by a primary producer to resellers or processors and any activity preparing a product for such first sale; a sale by a primary producer to final consumers shall be considered to be marketing if it takes place in separate premises reserved for that purpose.

4. "Primary agricultural production" shall mean production of products of the soil and of stock farming, listed in Annex I to the Treaty, without performing any further operation changing the nature of such products.

5. "Processing of agricultural products" shall mean any operation on an agricultural product resulting in a product which is also an agricultural product, except on-farm activities necessary for preparing an animal or plant product for the first sale. Preparing a product for the first sale includes one or a combination of activities related to cleaning, preparation for storage, storage, sorting, marking, packaging and transportation of agricultural products, milking, harvesting, cutting and threshing of cereals or packing eggs and other similar activities.

6. "Agricultural product" shall mean the products listed in Annex I to the Treaty, except fishery and aquaculture products listed in Annex I to Regulation (EU) No. 1379/2013 of the European Parliament and of the Council of 11 December 2013.

7. "Coal" shall mean high-grade, medium grade and low grade category A and B coal as defined by the international codification system for coal established by the United Nations Economic Commission for Europe and clarified in the Council decision of 10 December 2010 on State aid to facilitate the closure of uncompetitive coal mines.

§ 2c. (New, SG No. 88/2015, effective 13.11.2015) (1) Investments in tangible and intangible assets related to the setting-up of a new establishment, extension of the capacity of an existing establishment, diversification of the output of an establishment by adding new products or a fundamental change in the overall production process of an existing establishment under Item 1 of Article 12 (2) of the IPA shall be promoted in accordance with the said Act and these Regulations, taking into account the term "establishment" within the meaning of Article 42, Item 49 (a) of Regulation (EU) No. 651/2014, provided that it refers to the investment (investment project) which is the subject of aid.

(2) (Amended, SG No. 80/2025, effective 30.09.2025) The terms "enterprise" and "undertaking" within the meaning of Article 2, points (2), (18) and (24) of Regulation (EU) No. 651/2014, with their respective translation into Bulgarian as "предприятие", and the term "undertaking" within the meaning of Article 3(2) of Commission Regulation (EU) No. 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 2831 of 15 December 2023), with its respective translation into Bulgarian as "предприятие", refer to the entity receiving the aid and are differentiated from the term "undertaking" under Item 1 of Article 12 (2) of the IPA representing the object of aid.

## **TRANSITIONAL AND FINAL PROVISIONS**

§ 3. (1) Any investment projects, which have been awarded an investment class certificate according to the procedure established by the repealed Regulations for Application of the Investment Promotion Act, shall be promoted for the shorter of the time remaining until implementation of the investment and three years reckoned from the date of award of the certificate.

(2) Any investment projects referred to in Paragraph (1), which have been awarded a First Class investment certificate, may be promoted by financial support for construction of physical-infrastructure elements according to the hitherto effective procedure if the said projects simultaneously satisfy the following conditions:

1. the request referred to in Item 1 of Article 34 herein has been submitted within three months after the entry into force of the Act to Amend and Supplement the Investment Promotion Act (State Gazette No. 42 or 2007);

2. (amended, SG No. 62/2010) the project must fulfil the requirements for granting aid of Commission Regulation (EC) No. 800/2008 with regard to a regional aid scheme and the terms established by Chapter Seven herein, or;

3. an approval regarding the compatibility of the planned State aid must have been obtained from the European Commission according to the procedure established by the State Aids Act in the cases under Chapter Seven herein.

(3) Any investment projects referred to in Paragraph (1), which have been awarded a First Class investment certificate, shall be promoted by transfer of a right of ownership or by creation of a limited right in rem according to the hitherto effective procedure in compliance with the effective legislation in the State aid field.

§ 4. Any applications for the award of an investment class certificate, received prior to the entry into force of the Act to Amend and Supplement the Investment Promotion Act (State Gazette No. 42 or 2007), shall be examined according to the hitherto effective procedure.

§ 5. All aids granted in violation of the State Aids Act and non-conforming to the conditions of the [EU] Regulations specified in these Regulations, shall be subject to recovery according to the procedure established by the Tax and Social-Insurance Procedure Code in accordance with Council Regulation (EC) No. 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 88 of the EC Treaty.

§ 6. (Amended, SG No. 20/2009, effective 17.03.2009) The regional aid scheme according to the provisions of Commission Regulation (EC) No. 1628/2006 on the application of Articles 87 and 88 of the Treaty to national regional investment aid (OJ L 302 of 1.11.2006) shall apply until the entry into force of the Decree, and Commission Regulation (EC) No. 68/2001 on the application of Articles 87 and 88 of the EC Treaty to training aid (OJ L 10, 13.1.2001) shall be in force until the 31st day of December 2008.

§ 7. Until the entry into force on the 1st day of January 2008 of Regulation (EC) No. 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No. 3037/90 as well as certain EC Regulations on specific statistical domains (OJ L 393, 30.12.2006), the codes of section, division and group stated in Articles 2 and 3 herein, shall be those of the Statistical Classification of Economic Activities in the European Community (NACE Rev. 1.1), to which the National Classification of Economic Activities (NKID-2003) corresponds, according to § 2 herein.

§ 8. (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) Within three working days after the entry into force of these Regulations, the Minister of Innovation and Growth shall prepare information regarding the training scheme under Chapter Six herein in the form according to Annex 1 to Article 3 (2) of the Regulations for Application of the State Aids Act.

§ 9. (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) Within three working days after the entry into force of these

Regulations, the Minister of Innovation and Growth or an official empowered thereby shall prepare summary information regarding the investment promotion scheme in the form according to Annex 4 to Article 6 (2) of the Regulations for Application of the State Aids Act.

§ 10. (Amended, SG No. 36/2014, effective 25.04.2014, SG No. 40/2015, SG No. 43/2022, effective 10.06.2022) Within three months after the entry into force of these Regulations, the Minister of Innovation and Growth shall endorse the methodology referred to in Article 35 (4) herein.

§ 10a. (New, SG No. 94/2014, effective 14.11.2014, repealed, SG No. 80/2025, effective 30.09.2025).

§ 10b. (New, SG No. 94/2014, effective 14.11.2014, repealed, SG No. 80/2025, effective 30.09.2025).

§ 10c. (New, SG No. 88/2015, effective 13.11.2015, repealed, SG No. 80/2025, effective 30.09.2025).

§ 11. These Regulations are adopted in pursuance of § 28 of the Act to Amend and Supplement the Investment Promotion Act [sic, must be Foreign Investments Act] (State Gazette No. 37/2004).

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#### TRANSITIONAL AND FINAL PROVISIONS

to Council of Ministers Decree No. 55 of 6 March 2009 Amending and Supplementing the Regulations for Application of the Investment Promotion Act (SG No. 20/2009, effective 17.03.2009)

§ 38. The provisions of Chapters Five, Six and Seven [of the Regulations for Application of the Investment Promotion Act] shall be in force until the 31st day of December 2013, unless Commission Regulation (EC) No. 800/2008 of 6 August 2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General block exemption Regulation) (OJ, L 214 of 8 August 2008) is amended by a new Regulation prior to that date.

#### FINAL PROVISIONS

to Council of Ministers Decree No. 268 of 12 November 2009 on the Adoption of Structural Regulations of the Ministry of Economy, Energy and Tourism (SG No. 93/2009, effective 24.11.2009)

§ 39. In the Regulations for Application of the Investment Promotion Act, adopted by Council of Ministers Decree No. 221 of 2007 (promulgated in the State Gazette No. 76 of 2007, amended and supplemented in No. 20 of 2009), the words "Minister of Economy and Energy" shall be replaced passim by "Minister of Economy, Energy and Tourism", and the words "Ministry of Economy and Energy" shall be replaced passim by "Ministry of Economy, Energy and Tourism".

#### TRANSITIONAL AND FINAL PROVISIONS

to Council of Ministers Decree No. 159 of 29 July 2009 Amending and Supplementing the Regulations for Application of the Investment Promotion Act (SG No. 62/2010)

§ 56. Any investors which have been awarded a Class A or Class B investment certificate according to the hitherto effective procedure may, for the period of validity of the certificate issued thereto, apply the threshold amounts of the investment for projects in the economic activities regulated by the Decree.

§ 57. After the entry of the Decree into force, the Minister of Economy, Energy and Tourism shall prepare information on the amendments concerning the regional aid under scheme No. X426/2009 and the training aid under scheme No. X427/2009, notified to the European Commission according to the procedure and within the time limit established by Article 9 of the State Aids Act in conjunction with Article 9 of Regulation No. 800/2008.

§ 58. Within three months of the entry of the Decree into force, the Minister of Economy, Energy and Tourism shall endorse an updated methodology under Article 35 (4) [of the Regulations for Application of the Investment Promotion Act] including the evaluation procedure for priority investment projects under Article 66 (6) [of the Regulations for Application of the Investment Promotion Act].

#### TRANSITIONAL AND FINAL PROVISIONS

to Council of Ministers Decree No. 57 of 6 March 2013 Amending and Supplementing the Regulations for Application of the Investment Promotion Act (SG No. 24/2013, effective 12.03.2013)

§ 41. The provisions of Chapter Seven A [of the Regulations for Application of the Investment Promotion Act] shall be in force until the 31st day of December 2013, unless Commission Regulation (EC) No. 800/2008 of 6 August 2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General block exemption Regulation) (OJ, L 214 of 8 August 2008) is amended by a new Regulation prior to that date.

§ 42. Any investors which have been awarded a Class A or Class B investment certificate or a priority project certificate according to the hitherto effective procedure may, for the period of validity of the certificate issued thereto, apply the threshold amounts of the investment under Article 3 [of the Regulations for Application of the Investment Promotion Act] as regulated in the Regulations, in the respective economic activities.

§ 43. The Minister of Economy, Energy and Tourism shall prepare information on the amendments concerning the regional aid under scheme No. X 351/10, notified to the European Commission according to the procedure and within the time limit established by Article 9 of the State Aids Act in conjunction with Article 9 of Regulation No. 800/2008.

§ 44. Within three months of the entry of the Decree into force, the Minister of Economy, Energy and Tourism shall update the methodology referred to in Article 35 (4) [of the Regulations for Application of the Investment Promotion Act] including the evaluation procedure for certified investment projects which have applied for enjoyment of the measure for 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 according to Chapter Seven A [of the Regulations for Application of the Investment Promotion Act].

§ 45. This Decree shall enter into force as from the day of promulgation thereof in the State Gazette.

#### TRANSITIONAL AND FINAL PROVISIONS

to Council of Ministers Decree No. 142 of 8 July 2013 on the Adoption of Structural Regulations of the Ministry of Youth and Sports (SG No. 62/2013, effective 3.07.2013)

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§ 83. In the Regulations for Application of the Investment Promotion Act, adopted by Council of Ministers Decree No. 221 of 2007 (promulgated in the State Gazette No. 76 of 2007, amended and supplemented in No. 20 and 93 of 2009, No. 62/2010 and No. 24/2013), the words "Education, Youth and Science" shall be replaced passim by "Education and Science".  
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## TRANSITIONAL AND FINAL PROVISIONS

to Council of Ministers Decree No. 305 of 21 December 2013  
Supplementing the Regulations for Application of the Investment Promotion Act  
(SG No. 2/2014)

§ 2. The provisions of Chapters One and Six [of the Regulations for Application of the Investment Promotion Act] shall be in force until the 30th day of June 2014.

§ 3. The provisions of Chapters Five, Seven and Seven A [of the Regulations for Application of the Investment Promotion Act] shall be in force until the 31st day of December 2013, and provided that the European Commission approves an extension or does not object to an extension of the Regional Aid Map 2007 - 2013 for the Republic of Bulgaria, adopted by European Commission Decision No. 1 of 2007, the said provisions shall be in force and shall apply until the 30th day of June 2014 conforming to the conditions of the act of the European Commission regarding the extension of the Regional Aid Map 2007 - 2013 for the Republic of Bulgaria.

§ 4. In the case under § 3 herein, the Minister of Economy and Energy shall make public the conditions of the act of the European Commission regarding the extension of the Regional Aid Map 2007 - 2013 for the Republic of Bulgaria on the Internet site of the Ministry of Economy and Energy.

§ 5. The prolongation of the period of application of the provisions regarding the regional investment and employment aid under scheme No X 351/10 (amended to SA.36402 (13/X) and the financial support for training for professional qualification under scheme No. 350/2010 (amended to SA.31505 (13/X) shall be deemed to have been communicated to the European Commission in pursuance of Article 2 of Regulation (EU) No. 1224/2013 of 29 November 2013 amending Regulation (EC) No. 800/2008 as regards its period of application (OJ, L 320/22 of 30 November 2013).

§ 6. The proposals to issue or to refuse to issue a certificate under Article 13 (2) [of the Regulations for Application of the Investment Promotion Act] and the requests for application of promotion measures on which work has commenced or will commence before the 1st day of July 2014 shall be provided to the Minister of Economy and Energy and shall be submitted to the Ministry of Economy and Energy, as the case may be, not later than on the 30th day of April 2014.

§ 7. This Decree is adopted in connection with Article 2 of Regulation (EU) No. 1224/2013 of 29 November 2013 amending Regulation (EC) No. 800/2008 as regards its period of application (OJ, L 320/22 of 30 November 2013).

## TRANSITIONAL AND FINAL PROVISIONS

to Council of Ministers Decree No. 85 of 17 April 2014 Amending and  
Supplementing the Regulations for Application of the Investment Promotion Act  
(SG No. 36/2014, effective 25.04.2014)

§ 30. Any applications for the issuing of an investment class certificate or for a priority investment project, received prior to the entry into force of this Decree, shall be examined according to the hitherto effective procedure. The opinion referred to in Article 4 (4) of the Regulations for Application of the Investment Promotion Act shall be presented in these cases as well.

§ 31. Upon application of the measure referred to in Article 22e of the Investment Promotion Act in connection with Article 61d of the Regulations for Application of the Investment Promotion Act, the resources for reimbursement of contributions actually paid under Article 61d (1) of the Regulations for Application of the Investment Promotion Act for the months of January to June 2014, if possible, can also be paid in the July - December 2014 period, complying with the rest of the requirements of Article 61d and Chapter Seven A of the Regulations for Application of the Investment Promotion Act and within the limits of the resources provided for by the 2014 State

Budget Act under Article 15 (5) of the Investment Promotion Act under contracts/memorandums concluded with an investor until the 30th day of June 2014 (within the period referred to in § 5 of the Transitional and Final Provisions of Council of Ministers Decree No. 305 Supplementing the Regulations for Application of the Investment Promotion Act, Adopted by Council of Ministers Decree No. 221 of 2007 (State Gazette No. 2 of 2014).

§ 32. In the Regulations, the words "the Minister of Economy, Energy and Tourism" and "the Minister of Economy, Energy and Tourism" shall be replaced passim by "the Minister of Economy and Energy" and the "Ministry of Economy and Energy", respectively.

§ 33. This Decree shall enter into force as from the day of promulgation thereof in the State Gazette.

DECREE No. 128

of the Council of Ministers of 26 May 2015 for amendment and supplementing of normative acts of the Council of Ministers (SG No. 40/2015)

.....  
§ 25. In the Regulations for Application of the Investment Promotion Act, adopted by Council of Ministers Decree No. 221 of 2007 (promulgated in the State Gazette No. 76 of 2007, amended and supplemented, Nos. 20 and 93 of 2009, No. 62 of 2010, Nos. 24 and 62 of 2013 and Nos 2, 36 and 94 of 2014) the following amendments shall be introduced:

.....  
2. The words "Minister of Economy and Energy" shall be replaced passim by "Minister of Economy", and the words "Ministry of Economy and Energy" shall be replaced passim by "Ministry of Economy".  
.....

TRANSITIONAL AND FINAL PROVISIONS

to Council of Ministers Decree No. 302 of 6 November 2015 Amending and Supplementing the Regulations for Application of the Investment Promotion Act (SG No. 88/2015, effective 13.11.2015)

§ 51. Anywhere in these Regulations the words "acceptable" and "the acceptable" shall be replaced by "eligible" and "the eligible".

§ 52. Within 3 business days of entry into force of the Decree the Minister of Economy shall prepare information in the format under Annex II to Regulation (EU) No. 651/2014 regarding the regional investment aid scheme and the training scheme granted by the European Commission under Article 9 of the State Aids Act.

§ 53. For investment projects for which application has been submitted or a certificate of investment class A, class B or a priority investment project has been issued prior to entry into force of the Decree the incentive measures representing State aid shall apply, provided the conditions of Regulation (EU) No. 651/2014 are fulfilled and work on the investment project or the training project has not commenced before entry into force of the Decree in respect whereof the investors shall submit a specific declaration.  
.....

TRANSITIONAL AND FINAL PROVISIONS

to Council of Ministers Decree No. 77 of 11 March 2018 Amending and Supplementing the Regulations for Application of the Investment Promotion Act (SG No. 41/2018, effective 18.05.2018)

§ 21. 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 these Regulations are brought in accordance with Regulation (EU) No. 651/2014.

§ 22. (1) The regional investment aid scheme and the training aid scheme shall enter into force simultaneously with the entry into force of the Decree.

(2) Within 3 business days of entry into force of the Decree the Minister of Economy shall prepare information in the format under Annex II to Regulation (EU) No. 651/2014 regarding the modifications to the regional investment aid scheme and the training scheme, and shall provide this information to the European Commission in accordance with the procedure established by Article 29 of the State Aids Act.

§ 23. For investment projects for which application has been submitted or a certificate of investment class A, class B or a priority investment project has been issued prior to the expiration, on 9 January 2018, of the six-month period of adjustment under § 21, the incentive measures representing State aid shall apply, provided the conditions of Regulation (EU) No. 651/2014 are fulfilled.

#### TRANSITIONAL AND FINAL PROVISIONS

of Decree No. 263 of the Council of Ministers of 17 October 2019

Amending and Supplementing the Regulations for Application of the Investment Promotion Act (SG No. 83/2019, effective 22.10.2019)

§ 3. Any pending procedures shall be completed in accordance with the hitherto applicable procedure.

.....

#### TRANSITIONAL AND FINAL PROVISIONS

to Council of Ministers Decree No. 297 of 4 November 2020 to Amend and

Supplement the Regulations for Application of the Investment Promotion Act

(SG No. 95/2020, effective 6.11.2020, amended, SG No. 43/2022, effective 10.06.2022, SG No. 82/2022, effective 14.10.2022)

§ 30. (1) Any undertaking at group level, which is a beneficiary of regional aid and whereat employment relationships of factory and office workers are terminated pursuant to Items 1 to 4 of Article 328 (1) of the Labour Code between the 1st day of January 2020 and the 30th day of June 2021 owing to the COVID-19 pandemic, shall not be deemed to have breached relocation commitments given before the 31st day of December 2019.

(2) The exemption under Paragraph (1) shall apply to any undertaking of the group which is located in another contracting party to the EEA Agreement in accordance with the legal grounds for temporary or permanent laying off of staff within the meaning given by the third sentence of recital 9 of the preamble to Commission Regulation (EU) 2020/972 of 2 July 2020 amending Regulation (EU) No. 1407/2013 as regards its prolongation and amending Regulation (EU) No. 651/2014 as regards its prolongation and relevant adjustments.

§ 31. (Amended, SG No. 82/2022, effective 14.10.2022) Undertakings in difficulty as a consequence of the COVID-19 pandemic shall be eligible to receive aid according to Regulation (EU) No. 651/2014 where the said undertakings were not in difficulty by the 31st day of December 2019 but became undertakings in difficulty during the period from the 1st day of January 2020 to the 31st day of December 2021.

§ 32. (1) For application of § 30 and/or § 31 herein, the undertakings shall present a justification and evidence of the relevant circumstances, for example, loss of counterparties involved in a substantial part of supplies for or the earnings of the undertakings, deterioration of the financial performance compared to a similar prior period, applying measures ordered by or entailing from instruments of competent authorities, etc., which, in the cases referred to in § 30 herein, has led to temporary or permanent laying off of staff.

(2) A value added tax return, submitted to the National Revenue Agency, if application, for the chosen month or months of 2020 and/or 2021 and the comparable month or months of 2019 or a

trial balance, instruments of competent authorities, employer's orders under the Labour Code, etc., shall be evidence under Paragraph (1).

§ 33. (1) The training aid scheme, which is exempt from the notification requirement under Regulation (EU) No. 651/2014, shall apply within the extended period of application of the said Regulation, i.e. until the 31st day of December 2023.

(2) The regional investment aid scheme, which is exempt from the notification requirement under Regulation (EU) No. 651/2014, shall apply until the 31st day of December 2021 in conformity with the extension of the Regional Aid Map 2014 - 2020 for the Republic of Bulgaria as approved by the European Commission.

§ 34. (1) The regional investment aid scheme and training aid scheme as modified shall enter into force simultaneously with the entry into force of this Decree.

(2) The information on the modifications under Paragraph (1), prepared by the Minister of Economy in the format laid down in Annex II to Regulation (EU) No. 651/2014, shall be provided to the European Commission according to the procedure established by Article 29 of the State Aids Act.

(3) The extension of the regional investment aid scheme for the period of application of the current regional aid map for Bulgaria as approved by the European Commission shall be communicated by the Minister of Economy according to the procedure established by Paragraph (2).

§ 35. (Amended, SG No. 43/2022, effective 10.06.2022) At the request of the Ministry of Innovation and Growth, the National Social Security Institute shall provide data on the financial resources paid to an employer for each factory and office worker according to the procedure established by Council of Ministers Decree No. 55 of 2020 to Establish the Terms and Procedure for Payment of Compensations to Employers for Factory and Office Workers' Employment Retention during the State of Emergency Declared by National Assembly Resolution of 13 March 2020, or the Epidemic Emergency in the Territory of the Republic of Bulgaria Declared by Council of Ministers Decision No. 325 of 14 May 2020 (promulgated in the State Gazette No. 31 of 2020; amended and supplemented in Nos. 37 and 50 of 2020) and by Council of Ministers Decree No. 151 of 2020 to Establish the Terms and Procedure for Payment of Financial Resources for Factory and Office Workers' Employment Retention after the Period of the State of Emergency Declared by National Assembly Resolution of 13 March 2020 and the Epidemic Emergency Declared by Council of Ministers Decision No. 325 and Extended by Council of Ministers Decision No. 378 of 2020 (State Gazette No. 60 of 2020), as well as in other cases of granting aid according to the requirements of Section 3.10 [sic, must be 3.1 - Translator's Note] of the Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak, in respect of an employer wherewith a contract under Article 22e of the Investment Promotion Act has been concluded.

.....

#### TRANSITIONAL AND FINAL PROVISIONS

to Council of Ministers Decree No. 92 of 17 March 2021 to Amend and Supplement the Regulations for Application of the Investment Promotion Act (SG No. 24/2021, effective 23.03.2021)

§ 2. The investment projects, which have been certified before the amendment of the Regulations for Application of the Investment Promotion Act by Decree No. 297 of the Council of Ministers from 2020 (SG No. 95/2020), may be used for the incentive measure under Article 22e of the Investment Promotion Act, when such is provided for in the certification.

.....

COUNCIL OF MINISTERS DECREE No. 115  
of 8 May 2022 Amending and Supplementing  
Statutory Instruments of the Council of Ministers  
(SG No. 43/2022, effective 10.06.2022)

.....  
§ 2. In the Regulations for Application of the Investment Promotion Act, adopted by Council of Ministers Decree No. 221 of 2007 (promulgated in the State Gazette No. 76 of 2007, amended and supplemented in Nos. 20 and 93 of 2009, SG No. 62 of 2010, Nos. 24 and 62 of 2013, Nos. 2, 36 and 94 of 2014, Nos. 40 and 88 of 2015, No. 86 of 2017, Nos. 41 and 70 of 2018, No. 83 of 2019, No. 95 of 2020 and No. 24 of 2021), the words "Minister of Economy" and "Ministry of Economy" shall be replaced passim by "Minister of Innovation and Growth", and "Ministry of Innovation and Growth".  
.....

#### TRANSITIONAL AND FINAL PROVISIONS

to Council of Ministers Decree No. 319 of 10 October 2022 to Amend and Supplement the Regulations for Application of the Investment Promotion Act (SG No. 82/2022, effective 14.10.2022)

§ 37. The type of area, the maximum intensity applicable in the area concerned and other conditions applicable to regional investment aids shall be those established in the Regional Aid Map for Bulgaria which is in force on the date of granting the aid.

§ 38. (1) The regional investment aid scheme and the altered training aid scheme referred to in § 33 (1) of the Transitional and Final Provisions of Council of Ministers Decree No. 297 of 2020 Amending and Supplementing the Regulations for Application of the Investment Promotion Act Adopted by Council of Ministers Decree No. 221 of 2007 (State Gazette No. 95 of 2020), which are exempt from the notification requirement under Regulation (EU) No. 651/2014, shall enter into force simultaneously with the entry into force of the Decree.

(2) Within ten days after the entry into force of this Decree, the Ministry of Innovation and Growth shall prepare the information under Paragraph (1) on each of the schemes in the format according to Annex II to Regulation (EU) No. 651/2014 for submission to the European Commission according to the procedure established by Article 29 of the State Aids Act.

(3) Any further alterations of the scheme under Paragraph (1) related to mandatory rules of Regulation (EU) No. 651/2014 and/or changes in the Regional Aid Map for Bulgaria shall be communicated by the Minister of Innovation and Growth according to the procedure established by Paragraph (2).

§ 39. Any investment projects, which have been certified prior to the entry into force of this Decree, may benefit from a promotion measure constituting regional aid which was provided for upon certification subject to fulfilment of the requirements under Article 52a (5) of the Regulations [for Application of the Investment Promotion Act] and of the Regional Aid Map for Bulgaria which is in force on the date of granting the aid.

§ 40. With regard to any pending procedures for certification and any pending procedures for application of promotion measures provided for in certificates issued prior to the entry into force of this Decree, the applicable promotion measures shall be those provided for prior to the entry into force of this Decree, subject to fulfilment of the requirements of Article 52a (5) of the Regulations [for Application of the Investment Promotion Act] and of the Regional Aid Map for Bulgaria which is in force on the date of granting the aid.

§ 41. The Minister of Innovation and Growth shall exercise the rights of the State under the contracts for granting State aids under Articles 41 and 61f of the Regulations for Application of the Investment Promotion Act which were concluded prior to the 13th day of December 2021 and for the collaterals furnished under any such contracts, as well as under memorandums on certified priority investment projects.

§ 42. By the 30th day of June 2023, the investors with certified investment projects which provide for financial measures constituting State aids shall submit a request for the conclusion of a contract for application of the relevant measure.

§ 43. The Minister of Innovation and Growth shall update the standard form of the request referred to in Article 61d (3) [of the Regulations for Application of the Investment Promotion Act] within two months after the entry into force of the Decree.

.....

DECREE No. 125

of the Council of Ministers of 17 July 2025 Amending and Supplementing  
the Regulations for Application of the Investment Promotion Act  
(SG No. 59/2025, effective 22.07.2025, amended, SG No. 80/2025, effective 30.09.2025)

.....

§ 12. The words "the lev equivalent of" and "of a lev equivalent of" shall be deleted passim in the Regulations, as well as in the Transitional and Final Provisions thereof.

Final Provisions

.....

§ 14. (\*) (Amended, SG No. 80/2025, effective 30.09.2025) This Decree shall enter into force on the day of the promulgation thereof in the State Gazette.

TRANSITIONAL AND FINAL PROVISIONS

to Council of Ministers Decree No. 192 of 24 September 2025 to Amend and Supplement the Regulations for Application of the Investment Promotion Act  
(SG No. 80/2025, effective 30.09.2025)

§ 64. This Decree is adopted pursuant to Article 6 (2) of the Statutory Instruments Act in conjunction with § 32 of the Transitional and Final Provisions of the Act to Amend and Supplement the Investment Promotion Act (State Gazette No. 43 of 2025).

§ 65. Until the 1st day of January 2026, the values determined in euro terms shall be converted to lev terms using the full numerical value of the official conversion rate determined in Council Regulation (EU) 2015/1409 of 8 July 2025 amending Regulation (EC) No. 2866/98 as regards the conversion rate to the euro for Bulgaria, and complying with the rule on rounding regulated in Article 13 of the Introduction of the Euro in the Republic of Bulgaria Act.

All other texts of the Decree shall enter into force as from the day of promulgation of the Decree in the State Gazette.

.....

§ 67. (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 enter into force simultaneously with the entry into force of the Decree.

(2) Within ten days after the entry into force of this Decree, the Ministry of Innovation and Growth shall prepare the information under Paragraph (1) on each of the schemes in the format according to Annex II to Regulation (EU) No. 651/2014 for submission to the European Commission according to the procedure established by Article 29 of the State Aids Act.

§ 68. The regional investment aid scheme and the training aid scheme, which are exempt from the notification requirement under Regulation (EU) No. 651/2014, shall apply until the expiry of the said Regulation.

§ 69. Any applications for the issuing of an investment class certificate or a priority investment project certificate, received until the entry into force of this Decree, shall be examined according to the hitherto effective procedure, as long as the said procedure is not contrary to the law.

§ 70. The promotion measures envisaged under the investment projects for which an investment class certificate or a priority investment project certificate has been issued until the entry into force of this Decree, shall apply according to the hitherto effective procedure, as long as the

said procedure is not contrary to the law and, where applicable, where the said measures fulfil all conditions of Regulation (EU) No. 651/2014.

§ 71. Any pending procedures initiated by requests submitted for the application of promotion measures after an issued certificate shall be completed according to the hitherto effective procedure, as long as the said procedure is not contrary to the law and, where applicable, where the said measures fulfil all conditions of Regulation (EU) No. 651/2014. The provisions laid down in § 34 and 35 of the Transitional and Final Provisions of the Act to Amend and Supplement the Investment Promotion Act (State Gazette No. 43 of 2025) shall apply with regard to any pending procedures for the application of the measure referred to in Article 22e of the IPA.

§ 72. Any contracts concluded pursuant to Article 31 of the Regulations for Application of the Investment Promotion Act in the period from the entry into force of the Act to Amend and Supplement the Investment Promotion Act (State Gazette No. 43 of 2025) until the entry into force of this Decree may be modified for the purpose of alignment with the new provisions, including the introduction of conditions that are more favourable to investors, subject to compliance with State aids requirements.

Annex					1
to		Article		4	(1)
(New,	SG	No.	36/2014,	effective	25.04.2014,
amended,		SG		No.	40/2015,
SG	No.		88/2015,	effective	13.11.2015,
SG	No.		86/2017,	effective	27.10.2017,
amended	and		supplemented,	SG	No. 41/2018,
effective					18.05.2018,
amended,		SG		No.	83/2019,
effective					22.10.2019,
SG			No.		95/2020,
effective					6.11.2020,
SG			No.		43/2022,
effective					10.06.2022,
amended			and		supplemented,
SG	No.		82/2022,	effective	14.10.2022,
amended,	SG	No.	59/2025,	effective	22.07.2025,
SG No. 80/2025,					effective 30.09.2025)

TO THE EXECUTIVE DIRECTOR OF INVESTBULGARIA AGENCY		
Incoming Ref. No. .... /date .....		
APPLICATION[1]		
under Article 18 (1) of the Investment Promotion Act (IPA) and Article 4 of the Regulations for Application of the Investment Promotion Act (RAIPA)		
from.....□		
(applicant(s)'s name/business name)		
ESTEEMED EXECUTIVE DIRECTOR,		
I request the issuing of:		
- a Class A investment certificate		□
- a Class B investment certificate		□
- a priority investment project certificate		□

according to the requirements of the Investment Promotion Act (IPA) and the Regulations for Application of the Investment Promotion Act (RAIPA) for an investment project:

.....“

and

(title of the investment project)

with an amount of investment planned at –

.....,

with a number of new jobs expected at

.....

which will be executed in the City/Village/Municipality

.....

---

**Section I. PARTICULARS OF THE APPLICANT[2]**

Subsection 1A. Particulars of the applicant if the applicant is a legal person, a sole trader, or a non-resident person's wholly owned subsidiary

1. Business name:

2. Uniform Identification Code (UIC):

3. Particulars identifying the applicant if a non-resident legal person under its national legislation:

3.1. Legal form:

3.2. Registration No.:

3.3. Registered office and address of the place of management:

3.4. Objects:

3.5. Names of the persons representing the applicant according to the legal registration:

4. Economic activity implemented by the investor prior to the start of work on the present project:

Main code (KID 2025): .....

Supplementary codes (KID 2025): .....;

.....

Is the establishment in which the project will be implemented existing: YES/NO

For an existing establishment, indicate the economic activity code/codes (KID 2025): .....

5. Address for correspondence (if other than the management address):

.....

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Subsection 2. Other particulars of the applicant (if Subsection 1A is completed)

	%	Country
Particulars of the persons holding more than 10 per cent of the applicant company's registered capital (business name, UIC/EGN/LNC/register number of non-resident legal person)		

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Subsection 3. Contact person

1. Names:

2. Position:

3. Telephone:

4. Email.

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Subsection 4. Economic data on the applicant for the last three years, in EUR/BGN (in case the applicant was registered less than three years ago, data for the period since its registration must be provided)

	20...	20...	20...
1. Total assets in EUR/BGN			
2. Total sales in EUR/BGN			
3. Financial result in EUR/BGN			
4. Number of employed persons			

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Subsection 5. Consolidated data on an economic or another combination: in case the applicant is part of any such combination

1. Business name of the group:

2. Country where the head office is located:			
	20...	20...	20...
3. Total assets in EUR/BGN			
4. Total sales in EUR/BGN			
5. Financial result in EUR/BGN			
6. Number of employed persons			
For Subsection 4 and Subsection 5, please attach Annual Financial Statements and Annual Activity Reports of the applicant company or companies and consolidated Annual Financial Statements and Annual Activity Reports for the group for the last two financial years for which the accounts have been closed. Any accounts prepared in another currency need to be drawn up in euro/lev terms and to be audited in the proper manner. All documents which are written in any language other than Bulgarian must be presented in Bulgarian according to Article 7 (3) of the RAIPA.			
Subsection 6. Category of the undertaking:			
1. SME			<input type="checkbox"/>
The undertaking fulfils the requirements for small and medium-sized enterprise according to Annex I to Commission Regulation (EU) No. 651/2014, respectively, its direct application under the Small and Medium-Sized Enterprises Act. Please enter data on the category of the undertaking in a Declaration of Circumstances under Articles 3 and 4 of the Small and Medium-Sized Enterprises Act (defined as 'small and medium-sized enterprise' on the basis of the data on the financial year preceding the year of submission of the application; in the case of newly established undertakings, the data is determined according to the value of the indicators for the current financial year). Guidelines for filling in: The declaration is promulgated in State Gazette No. 54 of 21 June 2013. A standard form of the declaration and guidelines for filling in are published on the website of the Ministry of Innovation and Growth. In case of amendment of the standard form and guidelines as endorsed, those last endorsed will apply.			
2. Large enterprise			<input type="checkbox"/>
The undertaking is a large enterprise and does not fulfils the requirements for small and medium-sized enterprise according to Annex I to Commission Regulation (EU) No 651/2014, respectively, its direct application under the Small and Medium-Sized Enterprises Act.			
Subsection 7. Other particulars.			
1. Information on implementation of investment projects commensurate with the project presented, if any: .....			
2. Other information, accompanied by copies of documents: quality certificates, innovation of products and technologies, competitive advantages and other such: .....			
Requirement to the applicant in connection with the information in Section I and documents establishing compliance with these requirements:			
For an applicant which is a legal person, subsidiary and sole trader:			
1. Conviction status certificate or affidavit - original or notarised copy, for foreign nationals: - the sole owners of the capital; - the managing directors; - the members of the investor's management bodies, and in case any members are legal persons, for their representatives on the management body. The conviction certificates for Bulgarian nationals, as well as for foreign nationals who are permanent residents in the Republic of Bulgaria, who fall under the above categories, are obtained through official channels or are presented by the applicant or applicants.			
2. Documents certifying the non-incurrence of pecuniary obligations to the State or a municipality, referred to in Item 4 of Article 13 (1) of the IPA and the lack or existence of unpaid labour remunerations to factory and office workers, ascertained by an enforceable penalty decree, referred to in Item 5 of Article 13 (1) of the IPA. (To be required through official channels from the National Revenue Agency, the municipalities and the General Labour Inspectorate Executive Agency at the request of the InvestBulgaria Agency (IBA/the Agency).			

**Section II. PARTICULARS OF THE LEGAL ENTITY EXECUTING THE INVESTMENT**

In case the applicants are two or more legal persons which are related persons within the meaning given by § 1 (1) of the Supplementary Provisions of the Commerce Act or a combination within the meaning given by the Commerce Act or the Obligations and Contracts Act, the applicants will be jointly liable for the fulfilment of their obligations to implement and maintain the investment.

In case of multiple persons, according to Article 17 of the IPA, please enter the particulars under Section II of these persons and justification regarding the fulfilment of the conditions under Article 17 of the IPA.

.....  
 3. If the application is for the issuing of a priority investment project certificate for establishing an industrial zone or an industrial park, the applicant is required to present a document or documents certifying the commitment of a person or persons to implement eligible investments within the territory of the zone subject to compliance with the criteria for size and employment as established in the Regulations: a contract for acquisition of a right *in rem* to a land tract within the territory of the industrial zone, a preliminary contract for acquisition of a right *in rem* to a land tract of the industrial zone, a lease, a memorandum, an agreement or a joint declaration of intent mentioning the commitment assumed or incorporation of a company according to Article 357 of the Obligations and Contracts Act, a memorandum of association, articles of association or another applicable instrument of incorporation.

3.1. If the application is for the issuing of a priority investment project certificate for establishing an industrial park with an operator, the applicant is required to present a copy of the contract between the owner of the industrial park and the operator.

4. If the application is for the issuing of a priority investment project certificate for establishing a technology park, the applicant is required to present a document or documents certifying a commitment under Item 3 to carry out activity within the territory of the technology park by at least one of the following persons: Bulgarian higher schools which have been awarded a score not lower than 6.00 on the ten-point scale during the last valid institutional accreditation, according to Chapter Ten of the Higher Education Act, or foreign higher schools, the Bulgarian Academy of Sciences and institutes and units thereof, the Agricultural Academy and institutes therewith, foreign or Bulgarian experimental laboratories and/or research institutes under Article 60 of the Administration Act, foreign or Bulgarian scientific organisations within the meaning given by Item 1 of § 1 of the Supplementary Provision of the Scientific Research Promotion Act.

5. In the cases under Items 3 and 4, the applicant may furthermore present a document on a commitment by the interested local executive authorities in the location of the investment and/or by wholly State-owned or wholly municipal-owned corporations.

**Section III. INVESTMENT PROJECT according to Article 12 and Article 18 (2) of the IPA**

**Subsection 1. Type and purpose of the investment in new tangible and/or intangible fixed assets for:**

1. Setting-up of a new establishment (production site: enterprise, factory, office)	<input type="checkbox"/>
1. Extension of the capacity of an existing establishment	<input type="checkbox"/>
3. Diversification of the output of an establishment into products or services not previously produced in the establishment.	<input type="checkbox"/>
4. A fundamental change in the overall production process of the product or products or the overall provision of the service or services concerned by the investment in the establishment	<input type="checkbox"/>
5. Diversification of the activity of an establishment, provided that the new activity is not the same or a similar activity to the activity previously performed in the establishment. "Same or a similar activity" means an activity in the same class (four-digit numerical code) of the Statistical classification of economic activities.	<input type="checkbox"/>

Investments in tangible and intangible fixed assets referred to in Item 1 of Article 12 (2) of the IPA are promoted according to the procedure established by the IPA and the RAIPA, taking into account the term ‘establishment’ within the meaning given by Article 2, point 49(a) of Regulation (EU) No 651/2014, and, respectively, the term ‘стопански обект’ in the official translation into Bulgarian of Article 2, point 49(a) of Regulation (EU) No 651/2014, provided that it refers to the investment (investment project) which is the object of aid. (The terms ‘enterprise’ and ‘undertaking’ within the meaning of Article 2, points (2), (18) and (24) of Regulation (EU) No. 651/2014, with their respective translation into Bulgarian as ‘предприятие’, and the term ‘undertaking’ within the meaning of Article 3(2) of Commission Regulation (EU) No. 2023/2831 of 13 December 2023 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid (OJ L 2831 of 15 December 2023), with its respective translation into Bulgarian as ‘предприятие’, refer to the entity receiving the aid and are differentiated from the term ‘undertaking’ under Item 1 of Article 12 (2) of the IPA representing the object of aid.)

\*Note. In assisted areas fulfilling the conditions of Article 107(3)(c) of the TFEU (‘c’ areas), the aid may be granted to SMEs for any form of initial investment. Aid to large enterprises shall only be granted for an initial investment in favour of new economic activity in the area concerned (Article 52a (5) of the RAIPA). The type of area shall be determined according to the regional aid map approved by the European Commission for Bulgaria for the period concerned.

**Investment Project**

Please describe the investment project, including information about its essence, a schedule of the project activities, a description of the tangible and intangible fixed assets planned to be acquired, products or services to be manufactured or provided as a result of the investment, and other applicable information

.....

When the envisaged activity is subject to licensing or registration, please present a document issued by the competent authority to the effect that the investor may implement the activity applied for (authorisation granted, licence issued or another document provided for in the relevant regulatory framework).

Please mark the category under which the investment project falls:

- an investment project with a threshold amount of investments, as specified in Article 3 of the RAIPA;	<input type="checkbox"/>
- an investment project planning the creation and maintenance of employment and a threshold amount of investments, as specified in Article 3a of the RAIPA;	<input type="checkbox"/>
- a priority investment project with a threshold amount of investments, as specified in Article 63 and Article 64 of the RAIPA;	<input type="checkbox"/>
- a priority investment project with a threshold amount of investments and a minimum size of employment, as specified in Article 64a of the RAIPA.	<input type="checkbox"/>

**Subsection 2. Planned amount of the investment for a three-year period (EUR/BGN ‘000)**

	Month	20...	20...	Month	Total
	... 20...	20...		... 20...	
1. Costs of acquisition of tangible fixed assets					
1.1. Land					
1.2. Buildings					
1.3. Machinery and equipment					
2. Costs of acquisition of intangible fixed assets					
2.1. Licences					
2.2. Patents					
2.3. Know-how					
2.4. Unpatented technical knowledge					
<b>TOTAL</b>					

**Subsection 3. Planned amount of resources disaggregated by source of financing of the investment for a three-year period (EUR/BGN ‘000)**

Own	Loans	Loans from	State aid (national and	Financial leasing	Other sources (please	Total
-----	-------	------------	-------------------------	-------------------	-----------------------	-------

funds	from banks	private creditors	from EU)*		specify type and amount)	

\* If you are applying for a measure under the IPA that is classified as State aid or de minimis aid, please:  
- describe the State aid/de minimis aid for the same investment project for which you have applied (aid administrator, expected amount, eligible costs, applicable instrument at national and EU level under which the aid is permitted):.....

In case aid has already been granted for the same investment project (including if the project is a single investment project within the meaning given by Item 25 of § 1 of the Supplementary Provisions of the RAIPA) and for the same eligible costs, the information about this is entered in the declaration on State aid under Item 3 of Article 34 of the RAIPA, which must be attached to the application.

In accordance with Item 6 of Article 12 (2) of the IPA, at least 25 per cent of the eligible costs of tangible and intangible assets must be financed by the investor's own resources or by external financing in a form excluding public support.

In respect of the information in Subsection 3, please attach:

For legal persons, subsidiaries and sole traders

1. Documents certifying the financial position of the person:

(a) an annual financial statement for the last full calendar year

Please mark here if these documents are available in the Commercial Register with the Registry Agency. They will be obtained through official channels.

(b) an interim financial statement, where the person has carried out activity for less than a year.

2. Documents certifying the capacities to finance the project and the sources of financing the project:

(a) own resources;

(b) loan contracts;

(c) bank and other guarantees;

(d) a financial leasing contract;

(e) a declaration whereby a commitment to finance the project is assumed;

(f) other documents on financing or on furnishing collateral.

Please attach the relevant supporting documents under Item 2.

Subsection 4. Business plan of the investment for the period of execution and maintenance of the investment: 3+3 years for SME or 3+5 years for large enterprise (EUR/BGN '000)

	20...	20...	20...	20...	20...	20...	20...	20...	Total
1. Estimate of expected revenues:									
1.1. Total									
1.2. By principal product/service									
1.3. From other products/services/activities									
2. Estimate of expected costs:									
2.1. Total operating costs									
2.2. By type of costs:									
- cost of raw materials/supplies									
- cost of personnel under the project									
- cost of services									
- other costs in connection with the products/services under Item 1									
- investments in tangible fixed assets									

(land, buildings, machinery and facilities) and intangible fixed assets (licences, patents, know-how, trade marks, software etc.) under the project									
3. Estimate of expected net cash flows under Items 1 and 2									

Key conclusions regarding the economic stability and profitability of the investment project and return on investment:

.....

**Subsection 5. Activity programme within a three-year period**

1. Description of the planned construction of new industrial buildings, warehouses, office buildings and other such, with presentation of the state of design completion and/or intention to purchase or lease existing buildings (including a location plan of the buildings in the immovable in which the investment will be implemented (if available):


**2. Machinery, equipment and facilities related to the investment**

Type and quantity	Description	Country of manufacture	Year of manufacture

When applying for a priority investment project, please present a specification and a target price for each of the machines (offers, product catalogues, etc.)

3. Description of the production/technological process/service provision process at the undertaking which will be established/modernised by the execution of the project:


Applicable to the sectors of processing of agricultural products:

- (a) description of the agricultural products that will be used as inputs in the undertaking receiving aid:...
- (b) description of the operations that will be performed on the agricultural products in the undertaking receiving aid:...
- (c) description of the agricultural products that will be obtained as a result of the operations performed in the undertaking receiving aid:...
- (d) if the investor carries out primary agricultural production and/or on-farm preparation of animal or plant products for the first sale, including first sale to resellers or processors, description of the way of separation of the activities or differentiation of the costs so as to ensure that the aid is used for the primary production and/or the preparation of the agricultural product for the first sale: ...

4. Economic activity and products produced:


Code and name of the product/service that will be manufactured/provided by an undertaking established/modernised by the acquisition of the assets under Items 1 and 2 of Subsection 5 according to the effective Classification of Products by Activity	Planned revenues from the sale of the product/service after the execution of the project	Percentage of the total revenues from products/services under Item 1 of Subsection 4 that will be produced/provided by an undertaking established/modernised by the acquisition of the assets under Items 1 and 2 of Subsection 5	Code and name of the economic activity to which the product/service corresponds
1.			
2.			
3.			
4.			
5.			

**Guidelines for filling in:**

Column 1: The name and code of the product/service must be stated according to the effective European Classification of Products by Activity (CPA) (with nomenclature PRODCOM/ NACE or nomenclature CPA for projects in the services sector), respectively, according to its direct application in the Republic of Bulgaria through the Classification of Products by Economic Activity, which you can find on the website of the National Statistical Institute.

Column 4 The code and name must be stated according to the NACE Rev. 2.1 statistical classification of economic activities in the European Community and its direct application in the Republic of Bulgaria through the Classification of Economic Activities, which you can find on the NSI Internet site.

For a Class A or B certificate, at least 80 per cent of the future total revenues of the project must result from products/services which correspond to the following economic activities:

1. manufacturing (Code C 10-33.2), except for the economic activities under Chapter I, Article 1(3)(a) to (d) and Article 13(a) to (c) of Regulation (EU) No. 651/2014, as described in Article 2(5) and under the terms established by Paragraphs (6) and (7) of the Regulations;
2. the services sector:
  - (a) software publishing (Code J 58.2); computer programming, consultancy and related activities (Code K 62); information service activities (Code K 63);
  - (b) accounting, bookkeeping and auditing activities; tax consultancy (Code N 69.2);
  - (c) architectural and engineering activities, technical testing and analysis (Code N 71); scientific research and development (Code N 72);
  - (d) education (Code Q 85);
  - (e) human health activities and residential care activities (Codes R 86 and 87);
  - (f) warehousing and storage (Code H 52.1);

For priority investment projects, at least 80 per cent of the future total revenues of the project must result from products/services in the relevant economic activity under the project; all economic activities are eligible for priority investment projects except for those under Chapter I, Article 1(3)(a) to (d) and Article 13 (a) to (c) of Regulation (EU) No. 651/2014, as described in Article 2 (5) and under the terms established by Article 2 (6) and (7) of the RAIPA.

**5. Planned start and end date of the project:**

.....

**5.1. Stages of construction of the buildings and supply of the equipment disaggregated by year, with planned start and end date (month):**

Description of the stage	Start date month and year	End date month and year

6. Licences/authorisations/other administrative acts necessary for a start of the production process/provision of the service:					
7. Planned start date for the production/provision of the service:					
8. Year during which the planned production capacity will be reached:					
9. Period for maintenance of the investment in the area concerned by location, reckoned from the date of implementation of the investment (3 years for small and medium-sized enterprises, 5 years for large enterprises):					
10. Products/services that will be produced/provided after completion of the project					
Product/service	Quantity (units per year)	Total value (EUR/BGN '000)			
Subsection 6. Employment					
	Month..... . 20...	20...	20...	Month..... 20...	Total
1. New jobs created by the project					
2. Transfer of jobs from existing production (services)					
3. Average wage per job before tax, including compulsory social and health insurance					
4. Educational attainment of the new factory/office workers:					
- higher education ...					
- secondary education ...					
- basic education ...					
Where a measure for partial reimbursement of costs of social and health insurance is applied for, the following must be presented for each job declared to be created and maintained under the terms and according to the procedure established by the Labour Code:					
(a) information on the position identical to those specified in the National Classification of Occupations and Positions in the Republic of Bulgaria (NKPD);					
(b) draft of a job description containing information on the activities carried out in the position;					
(c) estimated amount of the basic monthly labour remuneration of the person employed;					
(d) estimated amount of the investor's costs of compulsory social and health insurance contributions for public social insurance, for supplementary compulsory retirement insurance and for compulsory health insurance.					
5. Indicate the average number of employees on payroll employed for the 12-month period before the date of submission of the application/start of works on the project:					
.....					
Subsection 7. Personnel training*					
1. Expected amount of costs of personnel training under Items 1 and 2 of Subsection 6 (EUR/BGN).					
2. Place of delivery of the training: ...					
3. Expected number of office/factory workers trained, disaggregated by occupation/position: ...					
4. Start and end date for the training: ...					
5. Description of the planned training: .....					
* Aid is not granted in cases where training is carried out by the undertaking to comply with national mandatory standards on training, as well as for training which a statutory instrument imposes on the employer as compulsory.					

6. Training project, in case such has been prepared (attachment to the application)	
Subsection 8. Location of the production activity/provision of the service; technical parameters	
1. Management address: ... .....	
2. Address (region, municipality, nucleated settlement, street) and cadastral data on the siting of the undertaking, as well as of the place of performance of construction, the positioning of the equipment (identified and boundaries of the lots or, respectively, an identifier and outline of the building), including information on the assigned use and the manner of durable use of the immovable and the projections of the effective spatial-development plans for the spatial-development area: .....	
3. Total surface area of the planned construction (in square metres): 3.1. for production/services: 3.2. for warehousing: 3.3. for transport needs: 3.4. for office buildings: 3.5. others:	
4. Planned infrastructure (expressed in the relevant measurement units): 4.1. water: 4.2. sewerage: 4.3. electricity: 4.4. gas: 4.5. telecommunications: 4.6. other:	
5. Information on the ownership of the built up or vacant land tract/s on which the investment will be implemented:	
5.1. If the land tract/tracts is/are your own, please present document/s certifying your rights.	
5.2. In case you envisage acquisition of rights or lease, please present document/s on the basis of which the investor has acquired or can acquire a right to use the immovable and data on the location, size of the land tracts, type of ownership, are there any preliminary contracts, etc	
Subsection 9. Environmental impact of the investment An opinion from the competent environment authority regarding the admissibility of the investment project vis-à-vis the regimes established in endorsed river basin management plans and in the flood risk management plans, as well as with regard to the admissibility vis-à-vis the regime of activities within the protected areas and/or the special areas of conservation, as well as on the applicable procedure according to the procedure established by Chapter Six of the Environmental Protection Act and/or Article 31 of the Biological Diversity Act: received through official channels at the IBA from the competent environment authority/presented by the investor/indicated public register in which the information is available.	
Section IV. PROMOTION MEASURES	
Subsection 1. Intention to enjoy the promotion measures	
1. Shorter waiting time for administrative services under Article 21 of the IPA.	<input type="checkbox"/>
2. Individualised administrative services necessary for the implementation of the investment project under Article 22 of the IPA (for Class A or a priority investment project).	<input type="checkbox"/>
3. Acquisition of a right of ownership or limited rights in rem to immovables according to the procedure established by Article 22a of the IPA. If the measure under Article 22a of the IPA is applied for, please describe and attach: 3.1. For sale/creation of limited rights in rem/exchange/lease: 3.1.1. documents containing the particulars under Subsection 8 of Section III; 3.1.2. a document certifying the prior consent granted by the competent authority in respect of the immovables constituting private State property, and/or a resolution passed by the Municipal Council or a document issued by the municipality mayor granting prior consent in respect of the immovables constituting private municipal property, and 3.1.3. the opinion of the competent authority regarding the possibilities to apply the measures in	

<p>connection with the regulatory requirements of special legislation regarding the ownership and use of the immovable concerned.</p> <p>3.2. For sale/creation of limited rights in rem/exchange/lease at prices lower than the market prices (applicable to priority investment projects only): The consent under Item 3.1,2 must include an indicative value of the difference between the market price and the expected selling price (not lower than the tax assessed value).</p> <p>3.3. For exemption from stamp duty for alteration of the assigned use of the land (applicable to priority investment projects only): Indicative value of the duty that will not be paid:</p>	
<p>4. Financial support for construction of physical-infrastructure* elements needed for the implementation or one or more investment projects according to the procedure established by Article 22b of the IPA (the measure is applicable to a Class A investment/a priority investment project/two or more certified investment projects being implemented within the territory of an industrial zone). If this measure is applied for, please indicate:</p> <p>4.1. Description and parameters of the infrastructure elements to be constructed from the nearest existing infrastructure element up to the boundaries of the immovable. Attach a site plan/layout and an explanatory note on the physical-infrastructure elements, prepared by a qualified person.</p> <p>4.2. The owner of the infrastructure after its construction (should constitute State property or municipal public property).</p> <p>4.3. The users of the infrastructure after its commissioning.</p> <p>4.4. Design readiness for construction of the infrastructure</p> <p><input type="checkbox"/> Conceptual design</p> <p><input type="checkbox"/> Working design</p> <p><input type="checkbox"/> Technical design</p> <p><input type="checkbox"/> No design readiness</p> <p><input type="checkbox"/></p> <p>Other:.....</p> <p>If a conceptual, technical or working design is available, attaching it is required.</p> <p>4.5. Amount of resources for construction of physical-infrastructure elements Attach a Bill of quantities coordinated with the owner of the infrastructure**: .....</p>	<input type="checkbox"/>
<p>4.5.1. Costs of development-project designing ** ..... (if applicable)</p> <p>4.5.2. Costs of building and erection works**, including unforeseen costs at an amount not exceeding 4 per cent of the planned costs ..... (if applicable);</p> <p>4.5.3. Costs of construction supervision** at the amount of ..... (the costs must not exceed 2 per cent of the costs of building and erection works (if applicable);</p> <p>4.6. Amount of resources for financial support for construction of physical-infrastructure elements which fulfil the requirements of Article 36a of the RAIPA:</p> <p>4.7. The percentage ratio according to Article 36a of the RAIPA of the resources necessary for the construction of physical-infrastructure elements to the investment declared under the project is:.....</p> <p>In cases where the resources for construction of the physical-infrastructure elements do not fulfil the conditions of Article 36a of the RAIPA, the owner of the infrastructure may self-finance the shortfall of resources for the construction of the said infrastructure.</p> <p>* The infrastructure is not dedicated within the meaning given by Article 2, point (33) of Regulation (EU) No 651/2014.</p> <p>** Values are stated inclusive of VAT.</p>	
<p>5. Financial support for training of persons who have occupied the new jobs linked to the investments according to the procedure established by Article 22c of the IPA; Please present a training project* in case you have one prepared.</p>	<input type="checkbox"/>

<p>* Presentation of a training project is mandatory upon the submission of a request for application of the promotion measure according to Article 42 of the RAIPA. Please provide following information: 5.1. Objective and period of the envisaged training that is planned:..... 5.2. Form of organisation and place of delivery of the training:..... 5.3. Total number of employees who are to be trained: ... The number of employees who will participate in the training should exceed 30. 5.4. Value of the costs of training: ..... 5.5. Amount of aid sought: ..... The amount of resources for financial support for training may not exceed 25 per cent of the eligible costs for training.</p>	
<p>6. Financial support for partial reimbursement of the compulsory social and health insurance contributions made and borne by the investor in its capacity as employer for public social insurance, for supplementary compulsory retirement insurance and for compulsory health insurance for newly recruited factory and office workers according to the procedure established by Article 22e of the IPA. When applying for this measure, please describe: 6.1. Envisaged number of persons to be employed under an employment relationship full-time under the terms and according to the procedure established by the Labour Code (in aggregate and disaggregated by position). 6.2. The investor's estimated labour remuneration costs: 6.2.1. planned amount of the average annual wage per person employed in the relevant economic activity in which the investment is implemented and by principal group of occupations; 6.2.2. estimated amount of the investor's labour remuneration costs for two years for the jobs directly created by the investment project, and estimated amount of the investor's costs of compulsory social and health insurance contributions for public social insurance, for supplementary compulsory retirement insurance and for compulsory health insurance of newly appointed factory and office workers for a period of two years. Attach a Table on Employment Creation and Maintenance and draft job descriptions for the persons. <b>6.2.3. amount of financial aid sought.....</b></p>	<input type="checkbox"/>
<p>7. Setting up an inter-departmental working group (IDWG) for institutional support of a priority investment project. When applying for this measure, please indicate the principal expected procedures (unless indicated in Item 5 of Subsection 5 of Section III) for which assistance is expected, from which authorities and central-government departments, and by what procedures.</p>	<input type="checkbox"/>
<p>8. Providing grant financial aid for priority investment projects according to the procedure established by Item 8 of Article 66 (1) of the RAIPA: 8.1. Up to a 50 per cent maximum aid intensity for investments in education and scientific research (with Codes Q 85 and N 72 under KID 2025), taking into account the maximum permissible regional aid intensity, in accordance with the provision of Article 53 (1) of the RAIPA. Amount:..... 8.2. Up to the maximum regional aid intensity threshold for investments in manufacturing according to Item 1 of Article 2 (2) and Article 2 (5) and (6) of the RAIPA for an initial investment. Amount:..... Please present attached an internal analysis/business plan (cost-benefit analysis) for the execution of the aided project in the presence and in the absence or the aid, with the relevant quantifiable parameters, justifying that the project would not have been carried out in the territory of the Republic of Bulgaria or in the area concerned or would not have been sufficiently profitable for the beneficiary in the area concerned (applicable to regional investment aids), that the project is not implemented to comply with national mandatory standards on training (applicable to training projects), that, due to the aid, there will be a material increase in the scope of the project or in the total amount spent on the project, or in the speed of completion of the project, that the project is not artificially split up from another similar project/activity that you have been executing until now. If you are applying for measures that are classified as regional investment aid, for the purposes of the verification regarding other aided projects that are being executed and that fall under the definition of single investment project, please present data on whether the undertaking you represent belongs to a</p>	<input type="checkbox"/>

‘group’, and if it does, the particulars identifying the companies of the group. ‘Group of undertakings’, according to Article 2 of Directive 2013/34/EU of the European Parliament and of the Council, means a parent undertaking and all its subsidiary undertakings, with ‘parent undertaking’ meaning an undertaking which controls one or more subsidiary undertakings and, accordingly, ‘subsidiary undertaking’ meaning an undertaking controlled by a parent undertaking, including any subsidiary undertaking of an ultimate parent undertaking.

‘Single investment project’, according to Item 25 of § 1 of the Supplementary Provisions of the RAIPA, is any initial investment within the meaning given by Article 2, point (49) of Regulation (EU) No 651/2014, started by the same beneficiary (at group level) within a period of three years from the date of start of works on another aided investment in the same level 3 region of the Nomenclature of Territorial Units for Statistics (identical with unit of territorial administration ‘region’’).

Document assessment procedure

The InvestBulgaria Agency will assess the application and the documents attached for conformity with the requirements of the IPA and of the Regulations for Application of the IPA.

The assessment will furthermore include verification for conformity of the investment project costs to the investor’s financial capacities and sources of financing, certified by the documents under Subsection 3 of Section III.

In case any non-conformities and/or deficiencies are ascertained, you will be notified.

Notification will be effected in writing or by electronic means.

If the notice is not accepted at the address for correspondence and/or the email address named by you, the notification will be considered effected by posting the notice in a place expressly designated for this purpose at the building of the Agency.

Section V. DECLARING CIRCUMSTANCES

1. The circumstances referred to in Articles 13 and 13a of the IPA do not exist in respect of my/the company represented by me:

The undersigned

(names)

holding a Personal Identity Card No. .... issued by the Ministry of Interior,  
City/Village.....  
in my (our) capacity as

(managing director/managing directors, executive director/executive directors, other type of representation)  
of

.....  
(business name of applicant under Section I)

UIC/BULSTAT.....

Do hereby declare:

1. The applicant represented by me/us is not subject to an outstanding aid recovery order following a previous European Commission decision declaring an aid granted by a Bulgarian aid administrator illegal and incompatible with the internal market, as well as that the said applicant is not an undertaking in difficulty within the meaning given by Article 2, point (18) of Regulation (EU) No. 651/2014.

2. I/we hereby undertake to notify the Minister of Economy through the Executive Director of the Agency forthwith of the occurrence of any of the circumstances under Article 13 or 13a of the IPA, as well as of any change in the circumstances under Article 12 of the IPA.

3. The present application is submitted before the start of works on the investment project as submitted within the meaning given by Item 8 of § 1 of the Supplementary Provisions of the IPA and in conjunction with Chapter I, Article 6 of Regulation (EU) No. 651/2014 and the project will be executed within three years of the date of start of works on it.

4. I/we hereby undertake to submit to the Agency, on an annual basis, information in connection with Article 19a of the RAIPA.

5. The costs of the promotion measures as applied for will not be subject to other (dual) financing under the same or another project, programme or any financing scheme whatsoever which is funded by national budget resources, European Union budget resources or other public financing.

5.1. Where a measure for training is applied for, the planned training will not be carried out to comply with the national mandatory standards on training within the meaning given by Article 31, point (2) of Regulation (EU)

No 651/2014.

6. The promotion measures as applied for (under Article .../Article .../Article ... of the IPA) constitute State aid or *de minimis* aid and the aid intensity and cumulation requirements for their application are fulfilled and, to this effect, a declaration of State aid under Item 3 of Article 34 of the RAIPA/Item 4 of Article 42 (1) of the RAIPA/Item 2 of Article 61b of the RAIPA is attached to this application.

Impracticable (the promotion measure does not constitute aid):

7. The employment as created and maintained is directly linked to the implementation of the investment project in the cases and under the terms provided for in the regulations for application of the law. When applying for the measures referred to in Article 22e and Item 1 of Article 22f (3) of the IPA, where promotion under Item 6 of Article 15 (1) is envisaged, the conditions of Article 14(9) of Regulation (EU) No 651/2014 are fulfilled simultaneously.

8. In connection with Item 13 of Article 3 and Article 4 of the Act on Economic and Financial Relations with Companies Registered in Preferential Tax Treatment Jurisdictions, Such Companies' Related Parties and Their Beneficial Owners:

8.1. the applicant represented by me/us is not registered in a preferential tax regime jurisdiction and is not controlled by a person registered in a preferential tax regime jurisdiction.

Or

8.2. the applicant represented by me/us falls under the exception of Item \_\_\_\_\_ of Article 4 and the entries under Article 6 (1) to (3) of the Act on Economic and Financial Relations with Companies Registered in Preferential Tax Treatment Jurisdictions, Such Companies' Related Parties and Their Beneficial Owners have been effected on the record of the company/companies ....., UIC .....

9. The applicant represented by me/us confirms that it is not under international restrictive measures adopted by:

9.1. resolutions of the Security Council of the United Nations Organization (UN Security Council);

9.2. legal acts of the European Union (EU);

9.3. legal acts duly adopted within the framework of international organisations, which are binding on the Republic of Bulgaria by virtue of an international treaty.

10. The applicant represented by me/us hereby confirms that it has not carried out a relocation, within the meaning given by Item 26 of § 1 of the Supplementary Provisions of the Regulations for Application of the Investment Promotion Act, to the undertaking in which the initial investment for which aid is requested is to take place, in the two years preceding the application for aid, and hereby gives a commitment that it will not carry out such relocation up to a period of two years after the initial investment for which aid is requested is completed.

Compliance with this requirement is impracticable (measures constituting regional investment aid and/or training aid are not applied for).

11. By the date of submission of the application, the undertaking represented by me/us which is applying for aid and the project contractors have not entered into an irrevocable agreement regarding the implementation of the project.

List of documents attached:

1.....

2.....

.....

I am aware of the criminal liability under Article 313 of the Criminal Code for making false declarations.

City/Village

Signature:

Date:	Names and position:
-------	---------------------

- [1] The application is concurrently a written application for aid within the meaning given by Article 6(2) of Regulation (EU) No 651/2014 and in accordance with Article 4 (7) of the RAIPA.
- [2] In case of multiple persons, according to Article 17 of the IPA, please enter the particulars under Section I of these persons according to the number of applicants.

Annex			2
to	Article	11a	(1)
(New,	SG	No.	36/2014,
effective			25.04.2014,
amended,	SG	No.	80/2025,
effective 30.09.2025)			

REPUBLIC OF BULGARIA

InvestBulgaria Agency

CERTIFICATE

No. .... / .....

of Entry into the Register of the InvestBulgaria Agency

Pursuant to Article 11a (1) of the Regulations for Application of the Investment Promotion Act, the InvestBulgaria Agency hereby certifies that

.....

*(particulars of the applicant(s))*

has/have submitted an application for the issuing of a Class A/Class B/priority investment project certificate (fill as appropriate) according to the procedure established by the Investment Promotion Act under Incoming Ref. No. .... / ..... (year)

for the investment project:

" .....  
..... "

*(title of the investment project according to the application)*

with an amount of investment planned at

.....,

with a number of new jobs expected at

.....,

which will be implemented in the City (Village) of

.....,

Municipality .....

The present Certificate is issued for presentation by the applicant to the competent executive authorities.

Upon presentation of the present Certificate, you are requested to provide full assistance to the investor in obtaining documents required for the issuing of an investment class certificate.

Upon presentation of the present Certificate, you are requested to designate the appropriate officials/units in your administration and to notify this to the InvestBulgaria Agency for the purpose of joint provision of the requisite information services to the applicant.

The present Certificate does not constitute a preliminary opinion on the application for the issuing of an investment class certificate.

The certificate is valid for a period of six months from the date of submission of the application.

EXECUTIVE DIRECTOR: .....

*(name, signature, seal)*

Annex					3
to		Article		61	(1)
(Redesignated			from		Annex,
SG	No.	36/2014,		effective	25.04.2014,
amended,	SG	No.	88/2015,	effective	13.11.2015,
repealed,	SG	No.	82/2022,	effective	14.10.2022,
new, SG No. 59/2025,					
effective 22.07.2025)					

**Request for information from the investor**

This standardised form aims to cover all eventually needed information. However, it is recognized that not every requested information is available for every transaction. Therefore, the information requested in this form and marked with \* should be provided to a reasonable extent in view of the respective type of transaction and at a reasonable cost on the side of the applicant. If the requested information is not available or could only be provided with a disproportionate effort, this should be noted in the appropriate section.

The fields not marked with \* should always be filled in/out.

In the event that a complex verification is carried out, information marked as optional may also be required to be provided.

Complex verification is a process of processing and analyzing the information from this application, which may also include a requirement to provide optional information, in case the need is established.

**Please complete the following information (\* = where available):**

10. General information

10.1. Name and country of registration of the direct investor(s):<sup>i</sup>

[Click or tap here to enter text.](#)

10.2. Name and country of registration of the global ultimate owner of the direct investor(s):<sup>ii</sup>

[Click or tap here to enter text.](#)

10.3. Name of the target undertaking:<sup>iii</sup>

[Click or tap here to enter text.](#)

10.4. Name and country of registration of the group<sup>5</sup> the target undertaking belongs to:

[Click or tap here to enter text.](#)

11. Information about the investment

11.1. Description of the investment:<sup>iiii</sup>

[Click or tap here to enter text.](#)

11.2. Approximate value of the investment (in EUR):<sup>iv</sup>

[Click or tap here to enter text.](#)

11.3. Planned date for completing the transaction:<sup>v</sup>

[Click or tap here to enter text.](#)

11.4. Funding of the investment and its source:<sup>vi</sup>

[Click or tap here to enter text.](#)

11.5. What is the investor's business strategy behind this acquisition?<sup>vii</sup>

[Click or tap here to enter text.](#)

<sup>5</sup> Clarification: Intra-group conversions where the foreign investor and the EU target are owned or controlled by the same foreign company are not considered foreign direct investments and are therefore not covered by the screening mechanism, except in exceptional cases conversions where a transfer of shares or interests takes place between companies of the same economic group without leading (1) to a change of ultimate control over the investor or the investment, (2) to the acquisition of a participation by a new foreign investor, or (3) to the expansion of an existing investment, including the expansion of the capacity of an existing enterprise, the diversification of the production of an enterprise into products that were not previously produced, or to the creation of a new location to carry out the activity or increase in the capital of the investment site under the condition that the shares are acquired by the foreign investor.

11.6. How will the investor financially ensure the continuity and proper operation of the target undertaking after the acquisition? \*

[Click or tap here to enter text.](#)

11.7. Does the investment enable or result in the investor's effective participation in the management of the target undertaking?

No

Yes, please explain how:

[Click or tap here to enter text.](#)

11.8. Participation of the direct investor and its global ultimate owner in the capital of the target undertaking before the transaction (if applicable) and as a result of the transaction.<sup>lviii</sup>

[Click or tap here to enter text.](#)

11.9. If the ownership is less than 100%, please explain how the ownership shares translate to control or participation in the effective management. Please describe the modalities of "joint" exercise of control or participation in the effective management.<sup>lix</sup>

[Click or tap here to enter text.](#)

11.10. Please explain whether any public entity holds shares and/or exercises some form of control, including indirectly, over the investor.<sup>lx</sup>

[Click or tap here to enter text.](#)

11.11. Has the transaction been announced to the public?

If available, please provide a link or attach the text of the announcement.

No

Yes: Link(s) to the source(s) below this line.

[Click or tap here to enter text.](#)

## 12. Information about the target undertaking

Please complete the table below with information about the beneficiary/-ies of the investment established in the Member State undertaking the screening procedure and, if applicable, the ultimate controlling entity (most relevant entity within the ownership structure). If required, you may duplicate the table to capture details for each level of ownership for which information is available.

12.1. Name of the company:

[Click or tap here to enter text.](#)

12.2. Address/domicile/registered office of the company:

[Click or tap here to enter text.](#)

12.3. Company's national registration number: \*

[Click or tap here to enter text.](#)

12.4. Date of incorporation\*

[Click or tap here to enter text.](#)

12.5. Annual turnover: (EUR) \* <sup>lxi</sup>

[Click or tap here to enter text.](#)

12.6. Total number of employees: \*

[Click or tap here to enter text.](#)

12.7. Listings on stock exchanges \* **Trading code, Ticker or stock symbol**

1. Country 1 [Click or tap here to enter text.](#)

2. Country 2 [Click or tap here to enter text.](#)

12.8. Website of the target company/-ies \*

[Click or tap here to enter text.](#)

12.9. Role of the company in the transaction.<sup>lxii</sup>

[Click or tap here to enter text.](#)

12.10. Does this company carry on an economic activity in the Member State where the investment is undergoing screening?<sup>lxiii</sup>

[Click or tap here to enter text.](#)

12.11. Description of the economic activity carried out by the company including NACE codes:

[RAMON, the Eurostat database for NACE codes](#)

[Click or tap here to enter text.](#)

12.12. Please explain the products, services and business operations of the company before the transaction.<sup>lxiv</sup>

[Click or tap here to enter text.](#)

12.13. Does the company own technology, or produce or sell goods subject to export control under EU law or in any EU Member State from which they export?<sup>lxv</sup>

[Annex I Regulation \(EU\) 2021/821](#)

[Common Military List of the EU](#)

[CN Codes Annex I Regulation \(EEC\) No 2658/87](#)

No

Yes

Please provide a list of all items subject to EU export control:

[Click or tap here to enter text.](#)

12.14. Does the company own technology, or produce or sell goods subject to export control under EU law or in any EU Member State from which they export?<sup>lxvi</sup>

No

Yes

Please provide a list of all items subject to export control in a third country and the respective third country.

[Click or tap here to enter text.](#)

12.15. Please provide information on the sectors in which the target's customers in all EU Member States are active. \* <sup>lxvii</sup>

[Click or tap here to enter text.](#)

12.16. Please explain the products, services, business operations of the company after the transaction is completed. \*<sup>lxviii</sup>

[Click or tap here to enter text.](#)

12.17. Do the products and services offered by the target company have unique selling points? \*

If so, please name these points.

[Click or tap here to enter text.](#)

12.18. Are there competitors (national, European, global), that offer goods and services comparable to the goods and services of the target company? \*

If so, please provide information on these competitors.

[Click or tap here to enter text.](#)

12.19. Does the company own any patents or other intellectual property rights relevant for a security or public order analysis? \* <sup>lxix</sup>

Please list the patents and, where relevant, the other intellectual property rights.

[Click or tap here to enter text.](#)

12.20. Please list the EU Member States in which the company conducts substantive business operations (e.g., through subsidiaries, branches, and please provide the name(s) of those undertaking(s).

- BE BG CZ DK DE EE IE  
EL ES FR HR IT CY LV  
LT LU HU MT NL AT PL  
PT RO SI SK FI SE

12.21. Does the target undertaking maintain business relations with a project or programme of Union interest?<sup>lxxx</sup>

- No  
Yes

Please specify the project, the relevant EU programme and the type of business relation:

[Click or tap here to enter text.](#)

12.22. Has the company received funding from projects or programmes of Union interest or participates directly or indirectly in the implementation of such projects or programmes?<sup>lxxxi</sup>

[Financial Transparency System \(FTS\)](#)

- No  
Yes

Please specify amount and relevant EU project or programme:

[Click or tap here to enter text.](#)

12.23. Are there natural or legal persons or entities of third countries subject to EU restrictive measures involved in the management or control of the EU target?<sup>lxxxii</sup>

[Financial Sanctions Files](#)

[EU Best Practices for the effective implementation of restrictive measures](#)

[Commission Opinion of 19.6.2020 on Article 2 of Council Regulation \(EU\) No 269/2014](#)

<http://www.sanctionsmap.eu/>

[Click or tap here to enter text.](#)

12.24. Ownership structure of the target undertaking – information on the ultimate owner and participation in the capital before the notified transaction:

[Click or tap here to enter text.](#)

13. Information about other legal entities of the corporate group of the target situated in other EU Member States<sup>6</sup> (if applicable) \*

In case the beneficiary is part of a larger corporate group not headquartered in the Member State undertaking the screening procedure, please provide on a voluntary basis the information for the other legal entities of the same corporate group situated in other EU Member States.

If applicable, one table per legal entity can be provided.

13.1. Name of the company:

[Click or tap here to enter text.](#)

13.2. Address/domicile/registered office of the company:

[Click or tap here to enter text.](#)

13.3. Company's national registration number: \*

[Click or tap here to enter text.](#)

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<sup>6</sup> In which the investment is to be made

13.4. Annual turnover: (EUR) \* <sup>lxxiii</sup>

[Click or tap here to enter text.](#)

13.5. Total number of employees: \*

[Click or tap here to enter text.](#)

13.6. Listings on stock exchanges\* **Trading code, Ticker or stock symbol**

1. Country 1 [Click or tap here to enter text.](#)

2. Country 2 [Click or tap here to enter text.](#)

13.7. Website of the target company/-ies\*

[Click or tap here to enter text.](#)

13.8. Role of the company in the transaction.<sup>lxxiv</sup>

[Click or tap here to enter text.](#)

13.9. Does this company carry on an economic activity in the Member State where the investment is undergoing screening?<sup>lxxv</sup>

[Click or tap here to enter text.](#)

13.10. Description of the economic activity carried out by the company including NACE codes.<sup>lxxvi</sup>

[RAMON, the Eurostat database for NACE codes](#)

[Click or tap here to enter text.](#)

13.11. Please explain the products, services and business operations of the company before the transaction.<sup>lxxvii</sup>

[Click or tap here to enter text.](#)

13.12. Does the company own technology, or produce or sell goods subject to export control under EU law or in any EU Member State from which they export?<sup>lxxviii</sup>

[Annex I Regulation \(EU\) 2021/821](#)

[Common Military List of the EU](#)

[CN Codes Annex I Regulation \(EEC\) No 2658/87](#)

No

Yes

Please provide a list of all items subject to EU export control:

[Click or tap here to enter text.](#)

13.13. Does the company own technology, or produce or sell goods subject to export controls of the country of origin of the investor?<sup>lxxix</sup>

No

Yes

Please provide a list of all items subject to export control in a third country and the respective third country.

[Click or tap here to enter text.](#)

13.14. Please provide information on the sectors in which the target's customers in all EU Member States are active.<sup>lxxx</sup>

[Click or tap here to enter text.](#)

13.15. Please explain the products, services, business operations of the company after the transaction is completed. \* <sup>lxxxi</sup>

[Click or tap here to enter text.](#)

13.16. Do the products and services offered by the target company have unique selling points? \*

If so, please name these points.

[Click or tap here to enter text.](#)

13.17. Are there competitors (national, European, global), that offer goods and services comparable to the goods and services of the target company? \*

If so, please provide information on these competitors.

[Click or tap here to enter text.](#)

13.18. Does the company own any patents or other intellectual property rights relevant for a security or public order analysis? \* lxxxii

Please list the patents and, where relevant, the other intellectual property rights.

[Click or tap here to enter text.](#)

13.19. Please list the EU Member States in which the company conducts substantive business operations (e.g. through subsidiaries, branches, and please provide the name(s) of those undertaking(s).

BE    BG   CZ   DK   DE   EE   IE  
EL    ES   FR   HR   IT    CY   LV  
LT    LU   HU   MT   NL   AT   PL  
PT    RO   SI   SK   FI   SE

13.20. Does the target undertaking maintain business relations with a project or programme of Union interest?<sup>lxxxiii</sup>

No

Yes

Please specify the project, the relevant EU programme and the type of business relation:

[Click or tap here to enter text.](#)

13.21. Has the company received funding from projects or programmes of Union interest or participates directly or indirectly in the implementation of such projects or programmes?<sup>lxxxiv</sup>

#### Financial Transparency System (FTS)

No

Yes

Please specify amount and relevant EU project or programme:

[Click or tap here to enter text.](#)

13.22. Are there natural or legal persons or entities of third countries subject to EU restrictive measures involved in the management or control of the EU target?<sup>lxxxv</sup>

#### Financial Sanctions Files

[EU Best Practices for the effective implementation of restrictive measures](#)

[Commission Opinion of 19.6.2020 on Article 2 of Council Regulation \(EU\) No 269/2014](#)

<http://www.sanctionsmap.eu/>

[Click or tap here to enter text.](#)

14. Information about the Greenfield investment (if applicable)

International greenfield investment typically involves the creation of a new company or establishment or facilities abroad, whereas an international merger or acquisition amounts to transferring the ownership of existing assets to an owner abroad.

14.1. Name of the new company:

[Click or tap here to enter text.](#)

14.2. Location/Address of the new undertaking:

[Click or tap here to enter text.](#)

14.3. Country where the new undertaking is headquartered:

[Click or tap here to enter text.](#)

14.4. Company's national registration number: \*

[Click or tap here to enter text.](#)

14.5. Date of incorporation: \*

[Click or tap here to enter text.](#)

14.6. Description of the economic activity carried out by the company including NACE codes:<sup>lxxxvi</sup>

[RAMON, the Eurostat database for NACE codes](#)

[Click or tap here to enter text.](#)

14.7. Please explain the products, services and business operations of the undertaking after the transaction is completed.

[Click or tap here to enter text.](#)

14.8. Please provide information about the main competitors (national, European, global) \*.

[Click or tap here to enter text.](#)

14.9. Estimated total number of employees: \*

[Click or tap here to enter text.](#)

14.10. Website of the company: \*

[Click or tap here to enter text.](#)

14.11. Ownership structure of the new undertaking – information on the ultimate owner and participation in the capital after the notified transaction:<sup>lxxxvii</sup>

[Click or tap here to enter text.](#)

15. Information about the investor

Please complete the table below with information about the direct investor and, if applicable, the ultimate controlling entity (most relevant entity within the ownership structure). If required, you may add duplicates of the table to capture details for each level of ownership for which information is available (i.e., direct, intermediary, and ultimate investor(s)).

In case the investment is made by multiple investors, please provide the information above for each investor separately by multiplying the table hereunder. If available, please provide an organigram to explain the horizontal and vertical relationship between the companies referred.

15.1. Role of the company in the transaction:<sup>lxxxviii</sup>

[Click or tap here to enter text.](#)

15.2. Name:

[Click or tap here to enter text.](#)

15.3. Address/domicile/registered office:

[Click or tap here to enter text.](#)

15.4. Country under whose laws the company is duly constituted or otherwise organised:<sup>lxxxix</sup>

[Click or tap here to enter text.](#)

15.5. Company's national registration number: \*

[Click or tap here to enter text.](#)

15.6. Date of incorporation: \*

[Click or tap here to enter text.](#)

15.7. Annual turnover: \*<sup>xc</sup>

[Click or tap here to enter text.](#)

15.8. Total number of employees: \*<sup>xci</sup>

[Click or tap here to enter text.](#)

15.9. Listings on stock exchanges\* **Trading code, Ticker or Stock symbol**

1. Country 1 [Click or tap here to enter text.](#)

2. Country x [Click or tap here to enter text.](#)

15.10. Website of the company. \*

[Click or tap here to enter text.](#)

15.11. Branch of industry/economic activities carried out.<sup>xcii</sup>

[RAMON, the Eurostat database for NACE codes](#)

[Click or tap here to enter text.](#)

15.12. Please explain the products, services and business operations of the company.<sup>xciii</sup>

[Click or tap here to enter text.](#)

15.13. Does the investor receive directly or indirectly significant funding from a non-EU government?<sup>xciv</sup>

[Click or tap here to enter text.](#)

15.14. Please provide information about the main competitors (national, European, global) \*.

[Click or tap here to enter text.](#)

15.15. EU Member States in which the company conducts substantive business operations:

BE BG CZ DK DE EE IE

EL ES FR HR IT CY LV

LT LU HU MT NL AT PL

PT RO SI SK FI SE

15.16. Is the company subject to EU financial restrictive measures (sanctions)?<sup>xcv</sup>

[Financial Sanctions Files](#)

[EU Best Practices for the effective implementation of restrictive measures](#)

[Commission Opinion of 19.6.2020 on Article 2 of Council Regulation \(EU\) No 269/2014](#)

<http://www.sanctionsmap.eu/>

[Click or tap here to enter text.](#)

15.17. Is the company subject to restrictive measures by third countries? \* <sup>xcvi</sup>

[OFAC Sanctions List Search](#)

[Click or tap here to enter text.](#)

15.18. Ownership structure of the investor, including information on its ultimate owner(s) and participation in the capital (*cf. Article 9(2)(a)*)<sup>xcvii</sup>

[Click or tap here to enter text.](#)

16. Other scrutiny proceedings pursuant to EU or national rules

16.1. Is (or will) the transaction (be) subject to merger review under the EC Merger Regulation?

Yes

Yes, but the case has not been filed for Merger Review yet. Planned date or timeframe of filing.

No

[Click or tap here to enter text.](#)

16.2. If yes, please provide the case number and refer to the database of Merger Cases.

Database for Merger Cases (Competition Policy)

[Click or tap here to enter text.](#)

16.3. Is the investment subject to another assessment, authorisation or monitoring in the Member State undertaking the screening, in another Member State or in a third country)?

\*xcviii

No

Yes, please specify type of scrutiny and country undertaking the scrutiny:

[Click or tap here to enter text.](#)

17. Any additional information that you wish to disclose for the assessment? \*

[Click or tap here to enter text.](#)

18. Notes

<sup>i</sup> 10.1. Please provide the name in the Latin alphabet and any local alphabets used in the company's country of origin.

<sup>ii</sup> 10.2. Please provide the name in the Latin alphabet and any local alphabets used in the company's country of origin.

<sup>iii</sup> 10.3. Please provide the name of the entrepreneur to whom or the undertaking to which the capital is made available in order to carry on an economic activity in a Member State. Explanation: The target enterprise is an enterprise or entrepreneur - the recipient of the investment, which carries out activities under Art. 4, paragraph 1 of Regulation (EU) 2019/452 on the territory of the Republic of Bulgaria, including when it carries out such activity through a subsidiary, branch or other form of establishment on the territory of the Republic of Bulgaria, or on a cross-border basis.

<sup>iiii</sup> 11.1. Please describe the structure of the transaction and explain how the change in ownership or control of the target company is executed and how the new assets will fit into the company structure of the investor. Explanation: Describe the structure of the transaction, the relationship of the investment and the target company with Bulgaria – how it operates under Article 4(1) of Regulation (EU) 2019/452 in Bulgaria – through a local establishment (e.g. a company/subsidiary/branch/commercial representation with registered office in the Republic of Bulgaria) or directly (cross-border) directly or through a subsidiary, and explain how the change in ownership or control of the target company takes place and how the new assets will fit into the structure of the investor's company.

<sup>lv</sup> 11.2. If the investment subject to this notification is part of a broader transaction, please disclose the total value and the investment provided to the undertaking(s) on the territory of the Member State undertaking the screening separately. Explanation: The value of the investment is the total (global) value of the investment in the target.

Value of global transaction:

Value of investment provided to the national target undertaking:

<sup>lvi</sup> 11.3. Please provide information either as a specific date/period or in function of the completion of ongoing authorisation processes.

<sup>lvii</sup> 11.4. On the basis of the best information available, cf. Article 9(2)(e)) please explain the origin of the funds and the degree to which they come from external sources. If the investment subject to this notification is part of a broader transaction, please specify the funding of the investment into the companies established in the territory of the Member State undertaking the screening, as well as sources of funding for the transaction as a whole.

<sup>lviii</sup> 11.5. Please explain why the investor is interested in making the investment and the circumstances of the investment by the target.

<sup>lix</sup> 11.8. Please specify the votes conferred by the shares purchased as a percentage of the total number of votes, whether there are any specific voting rights arrangements, regime concerning effective participation in the management like veto rights or the right to appoint Board Members etc.

Before:

As a result of the transaction:

<sup>lx</sup> 11.9. Please specify the votes conferred by the shares purchased as a percentage of the total number of votes, whether there are any specific voting rights arrangements, regime concerning effective participation in the management like veto rights or the right to appoint Board Members etc., or any other source of influence beyond voting or appointment rights.

<sup>lx</sup> 11.10. Please specify the votes conferred by the shares purchased as a percentage of the total number of votes, whether there are any specific voting rights arrangements, regime concerning effective participation in the management like veto rights or the right to appoint Board Members etc.

<sup>lxi</sup> 12.5. Please provide the EUR amount over the last fiscal year and please indicate if the fiscal year does not correspond to the calendar year.

<sup>lxii</sup> 12.9. For example:

- direct recipient of the investment (target)
- significant intermediate entity
- global ultimate owner
- company group...

<sup>lxiii</sup> 12.10. Art. 2.1 Regulation (EU) 2019/452: 'foreign direct investment' means 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 to whom or the undertaking to which the capital is made available in order to carry on an economic activity in a Member State, including investments which enable effective participation in the management or control of a company carrying out an economic activity.

<sup>lxiv</sup> 12.12. Art. 2.1 Regulation (EU) 2019/45: 'foreign direct investment' means 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 to whom or the undertaking to which the capital is made available in order to carry on an economic activity in a Member State, including investments which enable effective participation in the management or control of a company carrying out an economic activity.

<sup>lxv</sup> 12.13. Where available please provide the relevant classification of the products supplied by the target such as

- the relevant Export Control Code (see Annex I of Regulation (EU) 2021/821 of the EP and of the Council setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items)
- the relevant military items code according to the current Common Military List of the EU (equipment covered by the Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment)
- CN Codes according to Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

<sup>lxvi</sup> 12.14. If there is more than one company from a third country in the investor chain, please provide this information for all foreign investors.

<sup>lxvii</sup> 12.15. To the extent possible, please provide information of all sectors in which the customers of the target are active including indirect customers where this information is available. Alternatively, please provide a list of (direct and to the extent possible indirect) customers of the target in the EU.

<sup>lxviii</sup> 12.16. This is applicable to FDI resulting in a change of operations in the target undertaking.

<sup>lxix</sup> 12.19. Such patents or other intellectual property might include those in relation to critical infrastructure, critical technologies, or critical inputs. Criticality of a patent can be established by the level of the reliance of companies on the licences to it.

<sup>lxx</sup> 12.21. Please explain e.g. whether the target undertaking supplies goods, services, technology, etc. to the project or programme or to participants in these projects or programmes.

<sup>lxxi</sup> 12.22. The list of projects or programmes of Union interest is set out in the Annex of Regulation (EU) 2019/452. The Financial Transparency System (FTS) ([https://ec.europa.eu/budget/fts/index\\_en.htm](https://ec.europa.eu/budget/fts/index_en.htm)) allows to search the beneficiaries of funding from the EU budget implemented directly the Commission (at Headquarters or in EU delegations to non-EU countries) and other EU bodies such as executive agencies ('direct management'), and beneficiaries of the European Development Fund. Please note that the FTS does not provide information on funding from the EU budget implemented by both the Commission and Member States ('shared management') or implemented indirectly by other international organisations or non-EU countries ('indirect management').

<sup>lxxii</sup> 12.23. The consolidated list of persons, groups and entities subject to EU financial sanctions can be downloaded from Financial Sanctions Database – FSF platform accessible via the following address: <https://webgate.ec.europa.eu/europeaid/fsd/fsf>. In order to access this platform you need to have an "EU Login" account. For further background on ownership and control in the context of EU sanction, please consult the EU Best Practices for the effective implementation of restrictive measures and Commission Opinion of 19.6.2020 on Article 2 of Council Regulation (EU) No 269/2014. Please note that additional sectorial sanctions (not included in the FSF platform) could apply to the proposed transaction. Please visit [www.sanctionsmap.eu](http://www.sanctionsmap.eu) for a full list of EU sanctions.

<sup>lxxiii</sup> 13.4. Please provide the EUR amount over the last fiscal year and please indicate if the fiscal year does not correspond to the calendar year.

<sup>lxxiv</sup> 13.8. For example:

- direct recipient of the investment (target)
- significant intermediate entity
- global ultimate owner
- company group...

<sup>lxxxv</sup> 13.9. Art. 2.1 Regulation (EU) 2019/452: 'foreign direct investment' means 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 to whom or the undertaking to which the capital is made available in order to carry on an economic activity in a Member State, including investments which enable effective participation in the management or control of a company carrying out an economic activity.

<sup>lxxxvi</sup> 13.10. Please provide a brief description of the activities being carried out and include the relevant NACE sub-category to the greatest possible granularity (4-digits).

NACE is the European standard classification of productive economic activities. NACE presents economic activities partitioned in such a way that a NACE code can be associated with a statistical unit carrying them out. The NACE codes can be found in RAMON, the Eurostat database for NACE codes.

Description of Activity 1 and NACE code\*

Description of Activity 2 and NACE code\*

Description of Activity x and NACE code\*

<sup>lxxxvii</sup> 13.11. Art. 2.1 Regulation (EU) 2019/45: 'foreign direct investment' means 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 to whom or the undertaking to which the capital is made available in order to carry on an economic activity in a Member State, including investments which enable effective participation in the management or control of a company carrying out an economic activity.

<sup>lxxxviii</sup> 13.12. Where available please provide the relevant classification of the products supplied by the target such as:

- the relevant Export Control Code (see Annex I of Regulation (EU) 2021/821 of the EP and of the Council setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items)
- the relevant military items code according to the current Common Military List of the EU (equipment covered by the Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment)
- CN Codes according to Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

<sup>lxxxix</sup> 13.13. If there is more than one company from a third country in the investor chain, please provide this information for all foreign investors.

<sup>lxxx</sup> 13.14. To the extent possible, please provide information of all sectors in which the customers of the target are active including indirect customers where this information is available. Alternatively, please provide a list of (direct and to the extent possible indirect) customers of the target in the EU.

<sup>lxxxi</sup> 13.15. This is applicable to FDI resulting in a change of operations in the target undertaking.

<sup>lxxxii</sup> 13.18. Such patents or other intellectual property might include those in relation to critical infrastructure, critical technologies or critical inputs. Criticality of a patent can be established by the level of the reliance of companies on the licences to it.

<sup>lxxxiii</sup> 13.20. Please explain e.g. whether the undertaking supplies goods, services, technology, etc. to the project or programme or to participants in these projects or programmes.

<sup>lxxxiv</sup> 13.21. The list of projects or programmes of Union interest is set out in the Annex of Regulation (EU) 2019/452. The Financial Transparency System (FTS) ([https://ec.europa.eu/budget/fts/index\\_en.htm](https://ec.europa.eu/budget/fts/index_en.htm)) allows to search the beneficiaries of funding from the EU budget implemented directly the Commission (at Headquarters or in EU delegations to non-EU countries) and other EU bodies such as executive agencies ('direct management'), and beneficiaries of the European Development Fund. Please note that the FTS does not provide information on funding from the EU budget implemented by both the Commission and Member States ('shared management') or implemented indirectly by other international organisations or non-EU countries ('indirect management').

<sup>lxxxv</sup> 13.22. The consolidated list of persons, groups and entities subject to EU financial sanctions can be downloaded from Financial Sanctions Database – FSF platform accessible via the following address: <https://webgate.ec.europa.eu/europeaid/fsd/fsf>. In order to access this platform you need to have an "EU Login" account. For further background on ownership and control in the context of EU sanction, please consult the EU Best Practices for the effective implementation of restrictive measures and Commission Opinion of 19.6.2020 on Article 2 of Council Regulation (EU) No 269/2014. Please note that additional sectorial sanctions (not included in the FSF platform) could apply to the proposed transaction. Please visit [www.sanctionsmap.eu](http://www.sanctionsmap.eu) for a full list of EU sanctions.

<sup>lxxxvi</sup> 14.6. Please provide a brief description of the activities being carried out and include the relevant NACE sub-category to the greatest possible granularity (4-digits).

NACE is the European standard classification of productive economic activities. NACE presents economic activities partitioned in such a way that a NACE code can be associated with a statistical unit carrying them out. The NACE codes can be found in RAMON, the Eurostat database for NACE codes.

Description of Activity 1 and NACE code\*

Description of Activity 2 and NACE code\*

Description of Activity x and NACE code\*

<sup>lxxxvii</sup> 14.11. - If the ownership structure is complex, please provide details on the direct beneficiary, its ultimate owner and any significant intermediate entities to the extent available.

– If available, please provide an organigram to explain the horizontal and vertical relationship between the companies referred and the overall structure of the company group before and after the transaction. The information can also be presented in the form of a chart (as an Annex).

<sup>lxxxviii</sup> 15.1. For example:

- direct investor
- holding company created for the purpose of executing the investment
- 100% owner of a holding company without any other significant business activity
- significant intermediate entity
- global ultimate owner

...

<sup>lxxxix</sup> 15.4. If the entity is a natural person, please indicate the nationality/ies of this natural person.

<sup>xc</sup> 15.7. Please provide the EUR amount over the last fiscal year and please indicate if the fiscal year does not correspond to the calendar year.

<sup>xcii</sup> 15.8. In case the investor is part of a larger corporate group, please provide the information for the entire corporate group as well, if available.

<sup>xciii</sup> 15.11. Please provide a brief description of the activities being carried out and include the relevant NACE sub-category to the greatest possible granularity (4-digits).

NACE is the European standard classification of productive economic activities. NACE presents economic activities partitioned in such a way that a NACE code can be associated with a statistical unit carrying them out. The NACE codes can be found in RAMON, the Eurostat database for NACE codes.

Description of Activity 1 and NACE code\*

Description of Activity 2 and NACE code\*

Description of Activity x and NACE code\*

<sup>xciii</sup> 15.12. If available, please explain if the investment is likely to result in a significant change in the profile or main activities of the investor.

<sup>xciv</sup> 15.13. E.g. also by infusion of equity capital, grants, preferential loans, preferential taxes, etc.

<sup>xcv</sup> 15.16. The consolidated list of persons, groups and entities subject to EU financial sanctions can be downloaded from Financial Sanctions Database - FSF platform accessible via the following address: <https://webgate.ec.europa.eu/europeaid/fsd/fsf>. In order to access this platform you need to have an "EU Login" account. For further background on ownership and control in the context of EU sanction, please consult the EU Best Practices for the effective implementation of restrictive measures and Commission Opinion of 19.6.2020 on Article 2 of Council Regulation (EU) No 269/2014. Please note that additional sectorial sanctions (not included in the FSF platform) could apply to the proposed transaction. Please visit [www.sanctionsmap.eu](http://www.sanctionsmap.eu) for a full list of EU sanctions.

<sup>xcvi</sup> 15.17. Possible source of information for U.S sanctions: <https://sanctionssearch.ofac.treas.gov/>

<sup>xcvii</sup> 15.18. If the ownership structure is complex, please provide details on the direct acquirer, the ultimate owner and any significant intermediate entities.

- Please provide a list of all countries involved in the transaction on the investor side.
- If available, please provide an organigram to explain the horizontal and vertical relationship between the companies referred.
- When available, the information can also be presented in the form of a chart (as an Annex)

Please provide any information available about the ultimate investor.

<sup>xcviii</sup> 16.3. E.g. domestic competition control, prudential supervision, sectoral authorisation or certification.

I, \_\_\_\_\_ the \_\_\_\_\_ undersigned:

In my capacity as \_\_\_\_\_  
I do hereby certify the veracity, authenticity, accuracy and completeness of the information produced in the application under Article 27b of the Investment Promotion Act and the accompanying documents as listed in detail in Article 63c (3) of the Regulations for Application of the Investment Promotion Act.

I am aware of the criminal liability according to the procedure established by Article 313 of the Criminal Code for making false declarations.

\_\_\_\_\_  
\_\_\_\_\_  
(date) DECLARANT:  
(.....)