

MUNICIPAL PROPERTY ACT

Prom. SG. 44/21 May 1996, amend. SG. 104/6 Dec 1996, amend. SG. 55/11 Jul 1997, amend. SG. 22/24 Feb 1998, amend. SG. 93/11 Aug 1998, amend. SG. 23/12 Mar 1999, amend. SG. 56/22 Jun 1999, amend. SG. 64/16 Jul 1999, amend. SG. 67/27 Jul 1999, amend. SG. 69/3 Aug 1999, amend. SG. 96/5 Nov 1999, amend. SG. 26/29 Mar 2000, suppl. SG. 34/6 Apr 2001, amend. SG. 120/29 Dec 2002, amend. SG. 101/16 Nov 2004, amend. SG. 29/7 Apr 2006, amend. SG. 30/11 Apr 2006, amend. SG. 36/2 May 2006, amend. SG. 59/20 Jul 2007, amend. SG. 63/3 Aug 2007, amend. SG. 92/13 Nov 2007, amend. SG. 54/13 Jun 2008, amend. SG. 70/8 Aug 2008, amend. SG. 100/21 Nov 2008, amend. SG. 10/6 Feb 2009, amend. SG. 17/6 Mar 2009, amend. SG. 19/13 Mar 2009, amend. SG. 41/2 Jun 2009, amend. SG. 87/5 Nov 2010, amend. SG. 15/18 Feb 2011, amend. SG. 19/8 Mar 2011, amend. SG. 45/15 Jun 2012, amend. SG. 91/20 Nov 2012, amend. SG. 15/15 Feb 2013, amend. SG. 65/23 Jul 2013, amend. SG. 66/26 Jul 2013, amend. SG. 109/20 Dec 2013, amend. SG. 98/28 Nov 2014, amend. and suppl. SG. 105/19 Dec 2014, amend. SG. 13/16 Feb 2016, amend. SG. 43/7 Jun 2016, amend. and suppl. SG. 13/7 Feb 2017, amend. and suppl. SG. 96/1 Dec 2017, suppl. SG. 77/18 Sep 2018, amend. and suppl. SG. 60/30 Jul 2019, suppl. SG. 61/2 Aug 2019, amend. SG. 94/29 Nov 2019, amend. SG. 107/18 Dec 2020, suppl. SG. 16/23 Feb 2021, suppl. SG. 17/26 Feb 2021

Chapter one. GENERAL PROVISIONS

Art. 1. (amend., SG 96/99, amend. SG 101/04) This Act shall regulate the acquisition, the management and the disposition of municipal property, unless a special Act provides otherwise.

Art. 2. (amend. SG 101/04) (1) Municipal property shall be:

1. the properties and the chattels, defined with a law;
2. the properties and the chattels, conceded in ownership to the municipality with a law;
3. the properties, which ownership is restored to the municipality under conditions and by order, determined with a law;
4. the properties and the chattels, granted or bequeathed to the municipality;
5. the properties and the chattels, acquired by the municipality with voluntary work and/or pecuniary resources of the population;
6. the properties and the chattels, acquired by the municipality at the liquidation of commercial companies with municipal participation;
7. the properties and the chattels, acquired by the municipality by legal transaction, by prescription or in another way, determined with a law.

(2) Municipal property shall not be the properties and the chattels of the commercial companies and the non profit corporate bodies even if the municipality has been the only owner of the property, transferred to them.

Art. 2a. (New, SG 22/98, amend. SG 101/04) In the cases when settlements are included in

another municipality following administrative-territorial changes, the property and belongings under Art. 2, para 1, which are on their territory, they shall become property of the municipality within the borders of which the respective settlement is included.

Art. 3. (1) The municipal property is public and private.

(2) (amend. SG 101/04) Public municipal property shall be:

1. the properties and the chattels, determined with a law;
2. the real estates, designated for carrying out the functions of the bodies of the local government and local administration;
3. other properties, designated for permanent satisfaction of the public needs of local importance, determined by the municipal council.

Art. 4. The municipality shall be responsible for the liabilities of persons, due by the day of the gratuitous acquisition by it of real estates and chattel, up to the amount of their value.

Art. 5. (Amend., SG 96/99) (1) (amend. SG 101/04) The municipality shall certify the occurrence, the change and the lapse of the ownership of properties by an act for municipal property.

(2) (amend. SG 101/04) The act for municipal property shall be an official document compiled by an official by order and form, stipulated in the law.

(3) The act for municipal property has no right vesting effect.

Art. 6. (1) (amend., SG 96/99) The real estates and chattel - public municipal property, which have ceased to have their purpose under Art. 3, para 2 shall be declared by the municipal council private municipal property.

(2) Public municipal property shall be declared the real estates and chattel - private municipal property, who have acquired the designation under Art. 3, para 2.

(3) (amend., SG 96/99; amend. – SG 54/08) The decisions of the municipal council under para 1 shall be adopted by a majority of two third of the total number of the counsellors, and under par. 2 - of more than half of their total number.

Art. 7. (1) (amend., SG 96/99; suppl. – SG 54/08; amend. - SG 19/11, in force from 09.04.2011) The real estate and chattel public municipal property, the lands of the municipal land fund and the forest territories owned by the municipality cannot be acquired by prescription.

(2) (amend., SG 96/99, amend. SG 101/04, suppl. - SG 61/19, in force from 02.08.2019) The properties and the chattels – public municipal property, cannot be alienated and transferred in ownership to third persons, except for the benefit of the State, under the conditions and procedure laid down in a special law, in which case the public nature of the property cannot be altered by the State in whose favor the property right is transferred. Properties – public municipal property can be encumbered with limited real rights only in the cases, determined with a law.

(3) (amend. SG 101/04; amend. – SG 54/08) The properties and the chattels – private municipal property, can be subject to disposal. The general provisions for ownership shall be applied for them unless otherwise provided by a law.

(4) (new – SG 17/09) Ownership of properties – public municipal property shall not be subject to restoration.

Art. 8. (amend. – SG 54/08) (1) (amend., SG 96/99) The acquisition, managing and disposal of properties and chattels of municipal ownership, shall be carried out under the general management and control of the municipal council.

(2) (suppl. – SG 45/12, in force from 01.01.2013, amend. - SG 96/17, in force from 02.01.2018, suppl. - SG 17/21) The procedure of acquisition of the right of ownership and of limited material rights, of provision for management, on lease and for administration of properties and chattels of municipal ownership, and the powers of the mayor of municipality, of mayors of regions, of mayors of mayoralties and of deputy-mayors shall be determined by an ordinance of the municipal council subject to observance of the provisions of this Act and of the special laws in this field. With a rental contract cannot be assigned construction and/or services within the meaning of the Concessions Act and the Public Procurement Act, when the estimated value of the tenant's income for the term of the contract is higher than the European threshold within the meaning of the Concessions Act.

(3) In the ordinance under par. 2 the procedure of provision on lease of properties or parts thereof of municipal ownership, provided for management to schools, kindergartens and administrative units shall be determined.

(4) The provision on lease and administration of properties and chattels of municipal ownership shall be done through a public tender or publicly announced competition, unless otherwise provided by a law. The conditions and the procedure of holding of tenders and competitions shall be determined by the municipal council in the ordinance of par. 2.

(5) (Amend. - SG 107/20) The municipal council shall determine the properties in the territory of the municipality, beyond the properties under Art. 12, par. 2, which shall be provided for management to respective mayors of regions and mayoralties.

(6) In Sofia municipality and in towns with regional division in the ordinance of par. 2 the municipal council shall determine the powers of the mayors of regions related to provision for management, to holding tenders or competitions and to conclusion of lease agreements or of contracts for administration of properties in the territory of the region, which have been provided to them for management.

(7) (Amend. - SG 107/20) Mayors of regions, mayors of mayoralties, deputy mayors or nominated by them officers of the respective administration shall be included in the commissions for holding tenders or competitions in cases, where renting, leasing or administration of properties in the territory of the respective settlement or the mayoralty are being done by the municipality mayor as well as in the commissions for assignment of the implementation of activities and for the use of wood and non-wood forest products from the forest territories in the respective settlement - municipal property.

(8) The municipal council shall adopt a management strategy for the municipal property for the term of its mandate under a proposal of the municipality mayor. The strategy shall determine the development policy of the municipal property and the economic activity of the municipality and shall contain:

1. the general objectives, principles and priorities for acquisition, management and administration of properties of municipal ownership;
2. general characteristics of the individual types of properties, which may be leased or may be subject to administration;
3. the needs of the municipality of new properties and methods of acquisition thereof;
4. other data, determined by the municipal council.

(9) (amend. – SG 45/12, in force from 01.01.2013, amend. - SG 96/17, in force from 02.01.2018) In fulfilment of the strategy under par. 8 the municipal council shall adopt an action plan for municipal concessions in accordance with the Concessions Act and an annual program of management and administration of properties of municipal ownership under a proposal of the

municipality mayor. The program shall be adopted not later than before the adoption of the municipality budget for the respective year and may be updated during the year, whereas, if appropriate, updating of the municipality budget shall also be done. The program shall be compliant with the action plan for municipal concessions and shall include:

1. an estimate of the expected income and necessary expenses, related to the acquisition, management and administration of the properties of municipal ownership;
2. (suppl. – SG 45/12, in force from 01.01.2013, amend. - SG 96/17, in force from 02.01.2018) description of properties, which the municipality intends to offer for leasing, for sale, for contribution as a non-monetary contribution in the capital of business companies, for institution of limited material rights, as well as for assigning through a concession;
3. description of properties, which the municipality intends to offer for exchange against properties of individuals or legal entities, with a detailed description of the demands and the type of properties, that the municipality wishes to get in return;
4. description of properties, which the municipality intends to acquire in its ownership, and the methods of their acquisition;
5. (new - SG 15/11) the sites, which construction requires expropriation of private properties;
6. (new - SG 15/11) the sites referred to in Item 5 of primary significance;
- (10) (suppl. - SG 96/17, in force from 02.01.2018) The strategy under par. 8, the action plan for municipal concessions and the program under par. 9, as well as the amendments thereto shall be announced to the public following the procedure under par. 2, and shall be published on the internet site of the municipality.
- (11) (suppl. – SG 45/12, in force from 01.01.2013, amend. - SG 96/17, in force from 02.01.2018) The acts of the municipal council and of the mayor for acquisition, management and administration of properties and chattels of municipal property shall be subject to control and may be appealed pursuant to the provision of Art. 45 of the Local Government and Local Administration Act, except in the cases under the Concessions Act.
- (12) (new – SG 45/12, in force from 01.01.2013, revoked - SG 96/17, in force from 02.01.2018)

Art. 9. (amend. – SG 54/08) (1) (suppl. - SG 91/12, in force from 01.01.2013) The built-up real estates - public municipal property, shall obligatorily be insured, including against natural disasters and earthquakes.

(2) (suppl. - SG 91/12, in force from 01.01.2013) The municipal council shall determine the properties of municipality ownership, which shall be subject to obligatory insurance, including against the insured risks referred to in Para 1.

(3) The mayor of the municipality shall determine the chattels of municipal ownership, subject to obligatory insurance.

(4) (suppl. – SG 45/12, in force from 01.01.2013, amend. and suppl. - SG 96/17, in force from 02.01.2018) The insurance contributions shall be foreseen in the budgets of the municipality or of the respective organizations and budget-financed legal entities to which the properties and chattels of par. 1 -3 are provided for management. The insurance instalments for the properties and chattels under par. 1 – 3 provided on lease, for usage or on concession, shall be charged to the lessees, users or concessionaries.

(5) (new - SG 91/12, in force from 01.01.2013) No deductibles in case of obligatory insurance of the properties referred to in Para 1 and 2 against the risks "natural disasters" and "earthquake".

Art. 10. (amend. SG 101/04) In the structure of the municipal administration and the administration of the district shall be established units for fulfilment the functions and the tasks under This Act.

Chapter two.
USING AND MANAGEMENT OF THE REAL ESTATE AND CHATTEL - MUNICIPAL PROPERTY

Art. 11. (1) (amend., SG 96/99, amend. SG 101/04) Properties and the chattels – municipal property, shall be managed to the interest of the population in the municipality, according to the provisions of the law, with good care.

(2) (amend. SG 101/04) Properties and the chattels – municipal property, shall be used according to its designation and for the needs for which it has been submitted. The conceded properties and the chattels cannot be ceded for use, used jointly under contract with third persons, let for rent or re-rented except in the cases, provided in a law.

Art. 12. (amend. SG 101/04) (1) The properties and the chattels – municipal property, shall be conceded gratuitously for management to corporate bodies and units at municipal budget maintenance.

(2) The properties of Art. 3, para 2, item 2, shall be managed by the mayor of the municipality, respectively the mayor of the district, the mayor of the mayoralty or the mayor deputy at their location.

(3) The properties and the chattels – municipal property, which are not necessary for the needs of the bodies of the municipality or of corporate bodies and units at municipal budget maintenance, can be conceded gratuitously for management to other corporate bodies at budget maintenance or their territorial structures.

(4) The order for conceding for gratuitous management of properties and the chattels – municipal property, shall be determined by the municipal council in the ordinance of Art. 8, para 2.

(5) (suppl. – SG 54/08) The properties and the chattels – municipal property, which are not conceded for management to other persons, shall be managed by the mayor of the municipality.

(6) When the need of the conceded property falls away or it is used in breach of the provisions of Art. 11, the property shall be divested with an order by the mayor of the municipality.

Art. 13. (1) (revoked – SG 101/04)

(2) (New, SG 96/99) The municipality shall possess and manage the unowned real estates on its territory by an order established by the ordinance under Art. 8, para 2.

Art. 14. (amend. SG 101/04) (1) Free non residential properties – private municipal property, which are not necessary for the needs of the bodies of the municipality or of corporate bodies at maintenance by the municipal budget, can be let for rent to third persons.

(2) (amend. – SG 63/07, in force from 03.08.2007; amend. – SG 54/08; suppl. - SG 15/11; suppl. – SG 45/12, in force from 01.01.2013) The letting for rent of properties of para 1 shall be implemented by the mayor of the municipality after conducting of a public tender or publicly announced competition, unless an Act provides for rental without tender or competition or another procedure. On the basis of the results from the tender or the competition rental contract shall be concluded by the mayor of the municipality or by an official empowered by him.

(3) The term of letting for rent the properties of para 1 shall be determined by the municipal council in the ordinance of Art. 8, para 2 and it cannot be longer than 10 years.

(4) (amend. - SG 60/19, in force from 30.07.2019) The free provision of the properties of para 1 for the needs of the municipal management of the political parties, meeting the conditions, provided in

the Political Parties Act, shall be implemented by the mayor of the municipality without a tender or a competition by an order, determined in the ordinance of Art. 8, para 2.

(5) The letting for rent of properties of para 1 for the needs of the municipal management of the trade union organizations shall be implemented without a tender or a competition by an order, determined in the ordinance of Art. 8, para 2.

(6) (amend. – SG 54/08; suppl. - SG 15/11) With a decision of the municipal council properties of para 1 can be let for rent without a tender or a competition for healthcare, educational or social activities to meet the needs of the population, as well as to non-profit corporate bodies, implementing activity for public benefit, by an order determined in the ordinance of Art. 8, para 2. By this order to commercial companies can be let for rent landed properties, necessary as terrains for temporary use, for auxiliary and additional plots, communications etc., connected with the construction, the repair and the maintenance of sites of the technical infrastructure, for the term of the repair – construction activities. On the basis of the decision of the municipal council rental contract shall be concluded by the mayor of the municipality or by an official, empowered by him.

(7) (amend. - SG 15/11) Available properties or parts thereof – public municipal property can be let for rent for a period of up to 10 years by the order of para 2, after decision of the municipal council. Parts of properties - public municipal property, conceded for management as set out in Art. 12, may be let for rent, under the condition, that the exercise of the activities, for which the property is conceded for management is not impeded.

(8) The rental prices shall be determined by the municipal council.

(9) (new – SG 92/07; revoked – SG 54/08).

Art. 15. (1) The rental relations shall be discontinued:

1. due to failure to pay the rent for more than one month or due to the systematic failure to pay on time;

2. due to a new construction, superstructure or addition to the building, permitted by the established order, when they affect the used premises;

3. (amend., SG 96/99) due to poor using;

4. with the expiration of the rental contract;

5. (amend. SG 101/04, amend. - SG 60/19, in force from 30.07.2019) when a tenant under Art. 14, para 5 and 6 acquires premises of the same kind, fit for use;

6. (amend. SG 101/04) when the tenant stops to meet the requirements, established by the ordinance under Art. 8, para 2;

7. (amend. SG 101/04) when the premises are used in violation of the prohibitions under Art. 11;

8. (amend. SG 101/04; suppl. – SG 54/08) other grounds, determined by the Ordinance of Art. 8, para. 2 or in the contract.

(2) When discontinuing the rental relations under para 1, item 2 the tenant shall be offered new premises of the same kind.

(3) (amend. SG 101/04) The rental relations under Art. 14, para 3 and 7 shall be discontinued by the order of the Obligations and Contracts Act.

(4) (amend. SG 101/04, amend. - SG 60/19, in force from 30.07.2019) The rental relations under Art. 14, para 5 and 6 shall be discontinued by an order of the respective mayor, stating the grounds for discontinuation of the rental relations, the collected evidence and the term of vacation, which cannot be longer than one month.

(5) (suppl. SG 101/04; amend. - SG 30/06, in force from 12.07.2006 and for the replacement of the word "district" by "administrative" in force from 01.03.2007, suppl. - SG 77/18, in force from 01.01.2019) The order under para 4 can be appealed before the administrative court by the order of the

Administrative Procedure Code. The appeal shall not stop the fulfillment of the order unless the court orders other. The decision of the administrative court is final.

Art. 15a. (new - SG 60/19, in force from 30.07.2019) (1) Contracts with a political party are terminated when the party acquires premises of the same type, suitable for permanent use, no longer meets the conditions for granting municipal property determined by a special Act, as well as in the cases under Art. 32, para. 3 of the Political Parties Act.

(2) Legal relations shall be terminated by an order of the respective mayor, stating the reason for the termination of the legal relationship, the evidence collected and the eviction period, which may not exceed one month. The order is subject to appeal by the order of Art. 15, para. 5.

Art. 16. (amend. SG 101/04) The maintenance and repair of the properties and the chattels – municipal property, shall be carried out by the persons, to whom they are conceded for managements, the necessary resources being provided annually in their budgets.

Art. 17. (1) (amend. SG 101/04) The maintenance and the current repair of the properties and the chattels – municipal property, let for rent or conceded for management, shall be carried out by the tenants or the users, in compliance with the provisions of the Obligations and Contracts Act.

(2) A contract can stipulate the main repair to be carried out for the account of the tenants and the users.

Art. 18. (1) (amend. SG 101/04, amend. - SG 60/19, in force from 30.07.2019) If a pressing municipal need occurs the tenants of the premises under Art. 14, para 5 and 6 shall be obliged to vacate them within three months from the notification for vacation.

(2) (amend. SG 101/04) If the property under para 1 is not vacated voluntarily, it shall be vacated by administrative order, on the grounds of an order of the mayor of the municipality, which shall be fulfilled with the assistance of the bodies of the Police.

(3) (suppl. SG 101/04; amend. - SG 30/06, in force from 12.07.2006 and for the replacement of the word "district" by "administrative" in force from 01.03.2007, suppl. - SG 77/18, in force from 01.01.2019) The order under para 2 can be appealed before the administrative court, by the order of the Administrative Procedure Code. The appeal shall not stop the fulfilment of the order unless the court orders other. The decision of the administrative court is final.

Art. 19. (amend., SG 96/99, amend. SG 101/04) The chattels - private municipal property, shall be conceded for rent under conditions and by an order, determined by the ordinance under Art. 8, para 2.

Art. 20. (amend., SG 96/99; amend. – SG 19/09, in force from 10.04.2009) Cultural valuables, municipal property, shall be managed under the conditions and by the order, determined by special laws.

Chapter three.

COMPULSORY EXPROPRIATION OF REAL ESTATE - PRIVATE PROPERTY, FOR MUNICIPAL NEEDS

Art. 21. (amend. SG 101/04) (1) (suppl. – SG 54/08; amend. – SG 70/08; amend. and suppl. -

SG 15/11) Properties – ownership of individuals or corporate bodies, can be alienated compulsorily only for satisfying of municipal needs, which cannot be satisfied otherwise, on the basis of a detailed development plan entered into force, providing the construction of sites – public municipal property, or of an approved detailed spatial plan, providing for construction of sites of primary significance - public municipal property, for which there is an order for preliminary execution in force, and also in other cases, determined by a law, after preliminary and equal pecuniary indemnification.

(2) for the construction and the exploitation of the sites of para 1 can be alienated properties or parts of them, which are affected directly by the provided construction or become unfit for building up or use according to the development, the sanitary – hygiene and the fire safety rules and norms and the requirements for security and safety.

(3) Parts of properties can be alienated only when the residual of the property meets the requirements, determined in a law, according to its kind, location and designation.

(4) (suppl. - SG 15/11; amend. – SG 109/13) The properties of para 1 shall not be alienated if before the issue of the order referred to in Art. 25, Para 2, the municipality acquires them in ownership by purchase, through exchange with equivalent municipal property or the owners establish for the municipality limited real rights.

(5) (new - SG 15/11) In the cases referred to in Para 4 the mayor of municipality shall submit to the municipal council a proposal for approval of the preliminary agreement achieved with the owners of properties under Para 1 for signing a contract for acquisition of the property in the estates or for arrangement of real rights in them.

(6) (prev. text of Para 05 - SG 15/11) Properties – ownership of the state, cannot be alienated compulsorily for municipal needs. When for the needs of the sites of para 1 are affected properties – private state property, they shall be transferred gratuitously in ownership to the municipality by the order of the State Property Act.

(7) (new – SG 54/08; prev. text of Para 06, amend. - SG 15/11, suppl. - SG 16/21) The detailed development plans of par. 1 shall be approved by the municipal council, regardless of their scope except for the cases under Art. 81, para. 5 of the Spatial Development Act.

(8) (new - SG 15/11) Where the detailed spatial plan provides for construction of sites of primary significance that are public municipal property, the municipal council may order early execution of the plan.

(9) (new - SG 15/11) The properties referred to in Para 1, expropriated for meeting municipal needs, as well as the properties acquired as set out in Para 4, shall become public municipal property.

(10) (New - SG 16/21) The municipalities shall maintain a register of the properties, which are subject to expropriation for realization of the measures under para. 1. The object for the construction of which the property is envisaged for expropriation and the detailed development plan on the basis of which the property is expropriated.

Art. 22. (suppl., SG 96/99, amend. SG 101/04) (1) (amend. - SG 15/11) The expropriation of the properties referred to in Art. 21, Para 1 may be carried out entirely or at stages – before starting the construction at the respective stage.

(2) The owners and the users of the properties, subject to alienation, shall be obliged to ensure free access to them for making measurements and other technical activities when this is necessary for preparing the request for alienation. Upon refusal the access to the properties shall be ensured with the cooperation of the bodies of the police. The state bodies shall be obliged to present gratuitously the whole information with which they dispose, referring to the properties – subject to the alienation.

(3) (amend. – SG 54/08; amend. - SG 15/11; amend. - SG 13/16, in force from 15.04.2016) The mayor of the municipality shall assign the formation of equivalent pecuniary compensation for the properties, provided for alienation, to assessors meeting the requirements of the Independent Valuers

Act.

(4) (revoked - SG 15/11)

(5) (new – SG 54/08; amend. - SG 15/11) The amount of the adequate monetary indemnification for the properties intended for expropriation shall be determined in compliance with their concrete purpose prior to entering of the detailed spatial plan of Art. 21, para. 1 into force and on the grounds of market prices of properties of similar specifications, located in proximity of the expropriated property.

(6) (new - SG 15/11) The concrete purpose of land properties intended for construction in a transitional spatial plan shall be their purpose, determined in the transitional detailed spatial plan effective before the entry into force, respectively before approval of the detailed spatial plan referred to in Art. 21, Para 1.

(7) (new - SG 15/11) The concrete purpose of land properties intended for construction of sites that are public state or public municipal property in a transitional detailed spatial plan effective before entry into force, respectively before the approval of the detailed spatial plan referred to in Art. 21, Para 1, which were not expropriated as prescribed in the transitional plan, shall be their purpose determined in the detailed spatial plan in force before entry into force of the plan providing for the construction of sites that are public state or public municipal property.

(8) (new - SG 15/11) The amount of the adequate monetary indemnification referred to in Para 5 for land properties within the scope of an urbanised territory as prescribed in the general spatial plan in force, which are not intended for construction in a transitional detailed spatial plan, shall be determined as set out in respect of properties not intended for construction and shall be in compliance with the established permanent way of actual use.

(9) (new - SG 15/11) Apart from the cases referred to in Art. 16 of the Spatial Development Act, where a plan under Art. 21, Para 1 provides for expropriation of a part of a non-regulated land property, and the remaining part of the property is regulated and intended for construction, the amount of the adequate monetary indemnification shall be determined as the remainder resulting from the increased value of the regulated part of the property deduced from the price of the expropriated part of the property and.

(10) (new - SG 15/11) The amount of the adequate monetary indemnification shall be determined within three months before the issue of the order referred to in Art. 25, Para 2.

(11) (new - SG 15/11) Where the determined amount of the adequate monetary indemnification is less than the tax assessment of the property, the indemnification shall be paid in amount equal to the tax assessment.

(12) (new – SG 54/08; prev. text of Para 6, amend. - SG 15/11) Provided that market prices of properties of similar specifications cannot be determined due to lack of accomplished transactions in the respective records office, the adequate monetary indemnification shall be determined following the provisions of:

1. Attachment No. 2 to Art. 20 of the Local Taxes and Fees Act – for properties in urbanized territories;

2. the Ordinance of Art. 36, par. 2 of the Farm Land Ownership and Use Act – for agricultural lands;

3. (amend. - SG 19/11, in force from 09.04.2011) the Ordinance of Art. 86, para. 2 of the Forestry Act – for forest territories.

(13) (prev. par. 5 – SG 54/08; prev. text of Para 07 - SG 15/11) After the detailed development plan enters into force the lawful constructions and the other improvements, made by the owner of the property and by the order of Art. 49 of the Spatial Development Act, shall be paid with the smaller value of the value of the expenses incurred and the increased value of the property.

(14) (new – SG 54/08; prev. text of Para 08, amend. - SG 15/11) No indemnification shall be payable for illegal constructions the land property – subject to expropriation.

Art. 23. (amend. SG 101/04; revoked – SG 54/08; new - SG 15/11) (1) Where a plan referred to in Art. 21, Para 1 provides for expropriation of non-regulated land properties outside the urban territories, which are non-constructed farm lands or forest territories, the compensation may take place with farm lands from the municipal farm fund, respectively - with forest territories owned by the municipality, which have the same origin and functions like the expropriated property, if the urban territory encompassing the expropriated properties has available equivalent municipal properties of the same type to compensate all owners of properties affected by the plan, pursuant to a decision of the municipal council at the proposal of the mayor of municipality.

(2) With the proposal referred to in Para 1 the mayor of municipality shall submit a draft compensation plan specifying the expropriated properties according to their type, location, size, purpose of permanent use and value of each property, as well as the equivalent properties owned by the municipality offered for compensation according to their type, location, size, purpose of permanent use and property value taking into account the location of the expropriated property within the area of the urban territory.

(3) In the cases referred to in Para 1 the evaluation of the expropriated properties and of the properties owned by the municipality shall be carried out as set out in Art. 22, Para 12, Items 2 and 3. The difference of the values of the expropriated property and of the compensating property owned by the municipality may not exceed or be lower than ten percent. Where the value of the municipal property is lower than the value of the expropriated one, the difference of values shall be adjusted with pecuniary compensation.

(4) On the basis of the decision of the municipal council the mayor of municipality shall issue an order under Art. 25, Para 2 for expropriation of the respective properties referred to in Para 1 in compliance with the requirements of Art. 25, Para 1.

(5) The property shall be deemed expropriated from the date of entry into force of the order referred to in Para 4. From the date of entry into force of the order for expropriation the owner of the expropriated property shall become the owner of the compensating municipal property.

(6) Following the entry into force of the order for expropriation shall be drawn up an act for municipal property for the expropriated property, which shall be entered into the property register to its property file, and the order referred to in Para 4 shall be entered into the property register in the file of the compensating property.

(7) Where within 6 months from entry into force of the order referred to in Para 4 the municipality fails to pay the due pecuniary compensation for the difference in the values referred to in Para 3, the owner of the expropriated property shall have the rights referred to in Art. 29, Para 6.

(8) The provisions of Para 1 shall not apply, when the expropriated property has size lower than 3 dca for lands, 2 dca for meadows, 1 dca for perennial plants and 1 dca for a forest.

(9) The provisions of Para 1 shall not apply also to cases, when the non-regulated land properties within territories designated in the effective spatial plans for extension of the construction boundaries of existing urban territories - populations and population formations, or for creation of new population formations, shall be regulated in a detailed spatial plan as referred to in Art. 16 of the Spatial Development Act.

(10) In the cases referred to in Para 8 the owners shall be compensated with adequate pecuniary compensation determined under the conditions and order of Art. 22.

Art. 24. (revoked – SG 101/04)

Art. 25. (amend. SG 101/04) (1) (amend. – SG 54/08) The municipality mayor shall publish an announcement in two central and one local daily newspaper, by which he/she shall advise the owners of the properties subject to the scheduled alienation, and shall send a copy of it to the mayors of regions or of mayoralities, or to the deputy mayors, in the territory of which the properties or parts thereof of private ownership, subject to alienation, are located. The announcement shall be published also on the Internet site of the municipality. The announcement shall contain:

1. (amend. and suppl. – SG 15/11) designation of the properties according to the detailed development plan referred to in Art. 21, Para 1, entered into force, respectively approved;
2. grounds for alienation;
3. kind, location, size and owners of each of the properties to be alienated;
4. (suppl. – SG 15/11) the amount of the due indemnification, and in cases of property indemnification – the type, location, size, purpose of permanent use and value of the compensation property, as well as the amount of the pecuniary indemnification to be additionally paid in case of difference of the value of the properties.

(2) (amend. – SG 54/08; suppl. – SG 15/11) The mayor of the municipality shall issue order for alienation in which shall be pointed out the ground for alienation, the designation, the kind, the location, the size and the owner of the property, the extent of the indemnification, and in cases of property indemnification – the type, location, size, purpose of permanent use and value of the compensation property, as well as the amount of the pecuniary indemnification to be additionally paid in case of difference of the value of the properties, the commercial bank in which shall be paid the indemnification and the date after which starts payment of the indemnification to the account of the rightful claimants. The order shall be issued not earlier than in one month after publishing the announcement referred to in par. 1. The mayor of the municipality may admit preliminary enforcement of the order under the provisions of Art. 61 of the Administrative Procedure Code.

(3) (amend. – SG 54/08; amend. – SG 87/10; amend. – SG 109/13, amend. - SG 94/19) The order of para 2 shall be communicated to the interested persons pursuant to the provision of Art. 61 of the Administrative Procedure Code. A copy of the order shall be displayed on the appropriate places in the building of the municipality, of the region or of the mayor's office or in the settlement on which territory are located the alienated properties and shall be published on the internet site of the municipality.

(4) (new – SG 54/08; amend. – SG 109/13; amend. – SG 105/14, amend. - SG 94/19) Where the address of any of the interested persons is not known or the person has not been found at their present or permanent address, the order referred to in par. 2 shall be communicated to them by the municipality mayor subject to compliance with the provision of Art. 61 of the Administrative Procedure Code and also by promulgation of an announcement in State Gazette.

Art. 26. (revoked – SG 101/04)

Art. 27. (amend. SG 101/04; amend. - SG 30/06, in force from 01.03.2007) (1) (suppl. – SG 54/08; amend. – SG 87/10; Declared unconstitutional and inconsistent with international treaties to which Bulgaria is a party by a Decision of the Constitutional Court No 6 of 2013 - SG 65/13; amend. – SG 109/13) The order of the mayor of the municipality of art. 25, para 2, can be appealed before the administrative court at the location of the property in 14 days from its communication.

(2) (revoked – SG 54/08).

(3) (amend. – SG 59/07, in force from 01.03.2008; amend. – SG 54/08; amend. – SG 109/13) Within three days after the receipt of the complaint the court shall pass a pronouncement in a closed session on the admissibility of the evidences referred to and submitted by the parties and shall schedule the hearing within 7 days. Summoning of the parties shall be done not later than within three days prior

to the court session. The expert shall be obliged to present his/her conclusions not later than within three days prior to the court session.

(4) The court shall summon obligatory also the investor of the site, for which construction the property is alienated, if he is different from the municipality.

(5) The terms of para 3 shall be applied also at postponing of the case.

(6) (suppl. – SG 54/08) The proceedings before the administrative court shall be accomplished within two months after the submission of the appeal. The court shall announce the decision in 7 days term after the session, in which has finished the considering of the case. The decision shall be ultimate.

Art. 28. (revoked – SG 101/04)

Art. 29. (amend. SG 101/04; amend. – SG 54/08) (1) (amend. – SG 109/13) The pecuniary indemnification, determined in the enforced order of Art. 25, para 2 or in a court decision shall be transferred by the municipality to the bank account of the entitled persons in the bank, indicated in the order. or in the court decision, is paid.

(2) Where the property owner cannot be identified or is residing at an unknown address, and also in cases where there is a dispute among several persons over the right to the due indemnification or over rights over the property being deprived from possession, the indemnification shall be transferred to the bank into the account of the municipality. In these cases the bank shall pay the indemnification to the person, who established his rights by judicial order upon a direction of the mayor of the municipality.

(3) (amend. – SG 109/13) The property shall be deemed deprived from possession:

1. in cases of par. 1 – as from the date, on which the pecuniary indemnification, determined in the enforced Order under Art. 25, para. 2 or in the court decision is transferred by the municipality in a bank to an account of the entitled ones;

2. in cases of par. 2 – as from the date on which the pecuniary indemnification, set in Art. 25, para. 2, is transferred to the bank to a municipality account.

(4) (revoked – SG 109/13).

(5) Where the alienated property is the only house of the owner, the property shall be taken upon expiration of three months after the payment of the indemnification.

(6) Provided that within 6 months after entering of the order of Art. 25, para. 2 or of the court decision into force, the payable pecuniary indemnification is not transferred to the account of the property owner, the municipality mayor shall withdraw the order for deprivation of property upon owner's request.

(7) (new – SG 15/11) The requests for revocation of the order for expropriation may be filed within three months from expiration of the term under Para 6, if until their filing the due pecuniary indemnification with the accrued interest is not deposited to an account of the owner of the property.

(8) (new – SG 15/11) If within the time limit referred to in Para 7 no request for revocation of the order for expropriation has been filed and the due pecuniary indemnification with the accrued interest was not deposited to the account of the owner of the property within the said time limit, the order for expropriation shall be cancelled.

Art. 30. (revoked – SG 101/04; new – SG 15/13; Declared unconstitutional by a Decision of the Constitutional Court No 6 of 2013 - SG 65/13; amend. – SG 105/14) (1) Upon municipality request the respective administrative court in a closed session within one month and having provided an opportunity to the interested parties for comments, may allow for preliminary execution of the alienation act, where

the municipality has transferred the determined by the alienation act compensation and a guarantee determined by the court is provided as provided in Art. 391, para. 3 of the Code of Civil Procedure, where this is required in order to get particularly important governmental, municipal or public interests protected. The determination is final. In case of allowed preliminary execution, the estate can be delivered over to the municipality before the enforcement of the alienation act, where the detailed development plan, providing construction of a facility being a public municipal property has entered into force. Preliminary execution shall not be allowed with regard to a property, which is a sole residence. Preliminary execution shall not be allowed where this can cause to the owners a significant or hardly repairable damage, which cannot be compensated.

(2) The municipality shall be liable to pay to the owners under par. 1 a compensation for lost profit from the date of getting in possession of the property until entering of the alienation order for the respective property into force.

(3) The municipality shall be liable to pay to the owners of properties under par. 1 also compensation for damages to the property or for its recovery in the condition as of the time of its seizure, should the alienation fails to take place or has been cancelled.

(4) The determined by the court guarantee shall be used as a collateral for the payment of the increased by the court amount of compensation under the alienation act, and also of the compensations under par. 2 and 3.

(5) In case of enforced allowed preliminary execution a construction permit shall be granted to the investor of the project. The construction permit shall be granted to the investor of the project who is the employer within the meaning of the Spatial Development Act.

(6) Where the property is farm land, the indemnification referred to in Para 2 shall include the income that would be accrued by the owner of the property from marketing the production, if the property is cultivated or the rental payment due for the rented land for an economic year.

(7) Where the property is a forest territory, the indemnification referred to in Para 2 shall include the income that would be accrued by the owner of the property from the sale of wood, if there was a permit for cutting and transportation issued by the competent authorities referred to in the Forestry Act and from the sale of items from the related uses qualifying as economic activity, where a written permit has been issued.

(8) Where the property is a trading, manufacturing or agricultural facility, the indemnification referred to in Para 2 shall include the profit, which the property owner would have made, calculated based on the gained profit from the facility within the previous year or within the previous quarter or month, if this is a new facility.

(9) Where buildings the purpose of use of which is other than the one described in par. 8, the indemnification shall include the profit or the income, which the property owner would have made from its leasing.

(10) Before assuming possession in the property a protocol-inventory for its actual state shall be drawn up by a commission determined in an order of the mayor of the municipality, and for the towns with regional structure – the mayor of the respective region, which shall include representatives of the municipality and an assessor. The order shall indicate the type, the location and the number of the property, the owner of the property and the date and hour for carrying out the inventory of the property.

(11) The order referred to in Para 10 shall be communicated to the owner of the property as set out in Art. 61 of the Administrative Procedure Code at least 7 days before the date of the inventory. When the owner of the property was duly notified for the inventory and fails to appear, the actions shall be carried out and the protocol shall be drawn up in his absence. The expenses for the inventory of the property and for determining the compensations shall be at the expense of the municipality.

(12) The protocol shall be signed by the commission members and by the property owner. Should the owner refuse to sign the protocol, this circumstance should be certified by the signatures of two witnesses with their full names, correct address and personal ID number indicated therein. In cases

under the second sentence the protocol shall be deemed handed over from the date of its production.

(13) Where the property owner is duly notified of the carried out inventory and fails to appear, the activities can be carried out and the protocol can be issued in their absence. A copy of the protocol shall be handed over to the owner subject to compliance with the provisions of the Code of Administrative procedure, where the actual observations recorded therein shall be accepted as true and correct until providing a proof to the contrary.

(14) The municipality mayor, and for towns with regional structure – the mayor of the respective region, shall issue and order determining the amount of the due compensations under par. 2 and 3 after entering of the alienation order into force based on the findings in the protocol. The order shall specify the type, location and the owner of the property to whom the compensation shall be paid, the date and hour for assuming the possession in the property. The compensation shall be paid within one month after entering of the order into force.

(15) The order referred to in Para 14 shall be communicated to the owner of the property subject to compliance with the provision of Art. 61 of the Administrative Procedure Code. The owner of the property may contest the amount of the compensation within 14 days from the communication of the order according to the provisions of the Administrative Procedure Code.

(16) The court shall consider the appeal under par. 15 and shall deliver a decision, whereby the proceedings shall be finalized within one month after its filing. The court shall announce their decision within 7 days after the session in which the case consideration has been finalized. The court decision is final. Where the court specified a higher compensation, the municipality shall pay to the owner the difference together with the statutory interest in it within one month from delivery of the decision.

(17) The balance under par. 16 together with the applicable interest thereon shall be paid by the municipality mayor from the amount provided as a guarantee under par. 4, and in case it is not enough for paying the higher amount of the compensation, the balance shall be paid by the municipality.

Art. 31. (1) (amend. SG 101/04; amend. – SG 15/11) If in three years term, and for sites of primary significance – within 5 years, from the alienation of the property the construction of the site has not started, as well as in the cases where the approved detailed spatial plan, providing for construction of sites of primary significance that are public municipal property, has been revoked by the court, and the new detailed spatial plan in effect does not affect the already expropriated property, at the request of the former owner of the property the mayor of the municipality shall withdraw the order for expropriation following the restoration of the received compensation.

(2) (amend. – SG 15/11) In the cases under para 1 the municipality shall owe to the owner compensations for the caused damages.

(3) (amend. SG 101/04) The municipality shall have right to receive the lesser value, of the expenses incurred and the increased value of the property for the implemented by it improvements in the property.

(4) (new – SG 15/11) The request for withdrawal of the order for expropriation may be filed within three months from expiration of the time limits referred to in Para 1, respectively from entry into force of the new detailed spatial plan.

Art. 32. (1) (amend. SG 101/04) When the alienated property is encumbered with real rights the following rules shall be observed:

1. the due monetary compensation, in its part up to the amount of the taking for mortgage, shall be paid to the mortgage creditor, inasmuch as his takings is not preceded by takings with advantage for reimbursement;

2. (amend. SG 101/04) for another real right burden imposed on the real state the due monetary

compensation shall be paid to commercial bank, and it shall serve as compensation of the respective taking.

(2) (revoked – SG 101/04)

(3) (amend. SG 101/04) The municipality shall acquire properties, alienated by virtue of This Act, without burdens.

Art. 33. (suppl. – SG 15/11) Taxes and duties shall not be collected on the expropriation procedures, the compensations and transactions for acquisition of property and real rights under this chapter.

Chapter four.
ACQUISITION AND DISPOSING OF PROPERTIES AND CHATTELS – MUNICIPAL
PROPERTY (title amend. SG 101/04)

Art. 34. (amend. SG 101/04) (1) The municipality shall acquire right of ownership and limited real rights by legal transaction, by prescription or in another way, determined in a law.

(2) Onerous acquisition of right of ownership or limited real rights in properties shall be implemented after decision of the municipal council, by order, determine in the ordinance of art. 8, para 2. On the basis of the decision of the municipal council contract shall be concluded by the mayor of the municipality.

(3) The grants and wills shall be accepted by the mayor of the municipality under the conditions of Art. 61, para 2 of the Inheritance Act.

(4) (amend. – SG 54/08; amend. – SG 87/10) The municipality shall dispose with properties and chattels – private municipal property, by sale, exchange, grant, partition, onerous or gratuitous establishing of limited real rights or in another way, determined in a law.

(5) (revoked – SG 54/08).

(6) The establishing of limited real rights in sites – public municipal property, shall be implemented under conditions and by order, determined in a law.

(7) The contracts for acquisition of ownership and limited real rights in properties, as well as for disposing with properties – municipal property, shall be concluded in written form by the mayor of the municipality and they shall be entered by order of the judge for entering at the location of the property. The contracts for exchange of properties – municipal property, with properties – ownership of individuals or corporate bodies, shall be entered at the location of the municipal property, and upon exchange with properties – state property – at the location of the state property.

(8) (new – SG 87/10) At the date of signing of the contracts for disposition under Para 7 the acts of properties that are municipal property shall have been already entered under the appropriate procedure at the registrar.

Art. 35. (1) (amend., SG 96/99; amend. – SG 54/08) Sale of properties and the chattels - private municipal property, shall be carried out after a decision of the municipal council by the mayor of the municipality through a public tender or a publicly announced competition.

(2) (new – SG 63/07, in force from 03.08.2007; revoked – SG 54/08).

(3) (prev. text of Para 02 – SG 63/07, in force from 03.08.2007) Sale of land – private municipal property, to the owner of lawfully built construction on it shall be implemented by the mayor of the municipality without a tender or a competition by an order, determined in the ordinance of Art. 8, para 2.

(4) (prev. text of Para 03 – SG 63/07, in force from 03.08.2007; amend. – SG 54/08) The sale can be done without a tender or competition following the procedure, set in the ordinance of Art. 8, para 2;

1. between the municipality and the State or between municipalities;
2. where the persons, to whom sale can be made, are determined in a law.

(5) (prev. text of Para 04 – SG 63/07, in force from 03.08.2007) Grant of a property – private municipal property, shall be implemented after decision of the municipal council, adopted with majority three fourths of the total number of the counsellors.

(6) (prev. text of Para 05 – SG 63/07, in force from 03.08.2007) On the grounds of the results from the tender or the competition, respectively – of the decision of the municipal council, the mayor of the municipality shall issue order and conclude contract.

Art. 36. (amend. SG 101/04) (1) The termination of co-ownership in properties between the municipality, the state, individuals or corporate bodies, shall be implemented after decision of the municipal council by an order, determined with the ordinance of Art. 8, para 2 by:

- a) partition;
- b) sale of the part of the municipality;
- c) buy out of the part of the individuals or the corporate bodies;
- d) exchange.

(2) At termination of the co-ownership of para 1 shall be applied the provisions of the Ownership Act and the Code of Civil Procedure.

(3) On the basis of the decision of the municipal council the mayor of the municipality shall issue order and conclude contract.

Art. 37. (amend. SG 101/04) (1) (amend. – SG 54/08) Right of construction on property - private municipal property, shall be instituted after a decision of the municipal council by the mayor of the municipality through a public tender or a publicly announced competition and according to the provisions of a detailed development plan, entered into force.

(2) (amend. – SG 15/11) In the decision referred to in Para 1 the municipal council may permit that under the conditions of the tender or the competition the payment of the price of the construction right or part of it is effected through granting to the municipality the ownership in premises in the newly constructed building or in premises in another building owned by the person who was granted the right to construction, or in another site that the latter has undertaken to construct for the needs of the municipality. The value of the sites granted to the municipality shall not be lower than the price of the construction right or the respective part thereof.

(3) When the construction right is established for defined term, after the elapse of the term, for which it has been established, the municipality shall acquire gratuitously the ownership of the constructed site.

(4) The construction right shall be established without a tender or a competition after decision of the municipal council, adopted with majority more than half of the total number of the counsellors, by an order, determined with the ordinance of Art. 8, para 2, for:

1. (revoked – SG 54/08);
2. corporate bodies at budget maintenance;
3. religious institutions, registered according to the Religions Act, or their local divisions for ritual, prayer or liturgical homes for public religious rituals and services, for temples and monasteries;
4. other persons, when this is provided in a law.

(5) (amend. and suppl. - SG 91/12, in force from 01.01.2013) Gratuitous construction right

shall be established without a tender or contest after decision of the municipal council, adopted with majority two thirds of the total number of the counsellors.

(6) (amend. and suppl. - SG 91/12, in force from 01.01.2013) Gratuitous construction right shall be established without a tender or contest after decision of the municipal council, adopted with majority more than half of the total number of the counsellors by an order, determined in the ordinance of Art. 8, para 2, for:

1. corporate bodies at budget maintenance;
2. religious institutions, registered according to the Religions Act, or their local divisions for ritual, prayer or liturgical homes for public religious rituals and services, for temples and monasteries;
3. other persons, when this is provided in a law.

(7) On the basis of the results of the tender or the competition, respectively – the decision of the municipal council, the mayor of the municipality shall issue order and conclude contract.

Art. 38. (amend. SG 101/04) (1) (suppl. – SG 15/11) Right of superstructure or additional construction of a building – private municipal property, or building, constructed on a property – private municipal property, shall be established under the conditions and by the order of Art. 37, para 1 and 2.

(2) Right of superstructure and/or additional construction of a building, constructed on a property – private municipal property, shall be established by the mayor of the municipality without a tender or a competition for the owner of the building, as well as for owners of abodes in buildings – condominiums, or their associations, by an order, determined by the municipal council in the ordinance of Art. 8, para 2.

(3) Gratuitous right to superstructure and/or additional construction may be established under the conditions of Art. 37, para 5 and 6.

(4) On the basis of the results of the tender or the competition, respectively – of the decision of the municipal council, the mayor of the municipality shall issue order and conclude contract.

Art. 39. (amend. SG 101/04) (1) (amend. – SG 54/08) Right of use in properties – private municipal property, shall be instituted after a decision of the municipal council by the mayor of the municipality by a public tender or a publicly announced competition.

(2) The term of the right of use shall be determined by the municipal council and it cannot be longer than 10 years unless an Act provides otherwise.

(3) In the cases when the persons, to whom right to use can be established, are determined in a law, it shall be established without a tender or a competition after decision of the municipal council by an order, determined in the ordinance of Art. 8, para 2.

(4) (amend. - SG 91/12) Gratuitous right to use shall be established without a tender or contest after decision of the municipal council, adopted with majority two thirds of the total number of the counsellors.

(5) When the persons, to whom gratuitous right to use can be established are determined in a law, it shall be established without a tender or a competition after decision of the municipal council, adopted with majority more than half of the total number of the counsellors by an order, determined in the ordinance of Art. 8, para 2.

(6) On the basis of the results of the tender or the competition, respectively – of the decision of the municipal council, the mayor of the municipality shall issue order and conclude contract.

Art. 40. (Revoked, SG 96/99, new – SG 101/04; amend. – SG 54/08; amend. – SG 10/09) (1) (amend. - SG 15/11) Real estate – private municipal property, right to construct on such, or right to

construct provided to a municipality may not be subject to exchange with a property or right to construct – ownership of natural or legal persons, except in the cases specified in the law.

(2) (amend. – SG 10/09; amend. - SG 15/11) Except in the cases under This Act, the exchange of property – private municipal property, of construction right on property – private municipal property, or of construction right in favour of the municipality with a property or construction right in a property – ownership of other persons, may be carried out:

1. for obligations ensuing from an international agreement;
2. between the municipality and another municipality or the state;
3. in other cases - under conditions and order, determined in a law.

(3) In cases of par. 2 the municipality mayor shall address a written proposal for exchange to interested owners or co-owners of properties. A proposal for exchange to the municipality mayor may be done also by the interested owners or co-owners of properties of para. 2. In the proposal the proposed for exchange properties or real rights shall be specified. In case of achieved agreement the municipality mayor shall submit the proposal for exchange to the municipal council.

(4) For the issued proposals for exchange an announcement for each property shall be prepared, which shall be published on the internet site of the municipality. The announcement shall contain information about the properties or the real rights subject to the proposal for exchange. The announcement shall be displayed in the designated places in the building of the municipality, region, mayoralty or the settlement at the place of location of the municipal property.

(5) (revoked - SG 15/11)

(6) The proposals of para. 3 shall not bind the municipal council to carry out an exchange. The refusals by the municipal councils to carry out an exchange shall not be subject to appeal.

(7) Exchange shall not be allowable:

1. where the properties of third parties ownership are burdened with a mortgage or other burdens, they are rented or leased;

2. (amend. - SG 15/11) of municipal regulated lands, allocated for residential buildings construction, against properties of non-residential nature;

3. of municipal properties with properties of persons, about whom it has been identified, that they use municipal property without legal grounds, the lease agreements or contracts for real rights on municipal properties have been terminated through their fault or with whom the municipality carries out court proprietary disputes;

4. in other cases determined by an Act or in the ordinance of Art. 8, para. 2.

(8) The decisions for carrying out exchange shall be adopted by the municipal council with a majority of two thirds of the total number of the councillors. On the basis of the decision of the municipal council the mayor of the municipality shall issue and order and shall conclude an exchange contract.

Art. 41. (amend. SG 101/04) (1) (revoked – SG 54/08).

(2) (amend. – SG 54/08; amend. - SG 15/11) The disposition transactions with properties or real rights in properties owned by the municipality shall be carried out according to the market prices, while not lower than their tax evaluation. The market prices of the properties and of the real rights shall be determined by the municipal council on the basis of market valuation, carried out by assessors, determined by the order of Art. 22, para 3, unless otherwise provided for in a law. The initial prices in case of holding tenders or competitions for disposition of properties or real rights in properties owned by the municipality may not be lower than the prices determined by the municipal council.

(3) In the cases of para 2 shall not be admitted payment of the price entirely or partially with compensatory instruments.

(4) (new – SG 54/08) A public register of the disposition transactions with properties of

municipal ownership shall be created and maintained. Information on the properties shall be entered into this register in compliance with the certificate of title, by types of disposition transactions, and also:

1. the market and tax valuation of the properties or the real rights, the valuation, determined by the municipal council, and the final price of the transaction;
2. the method of disposition – through a public tender, publicly announced competition or a decision of the municipal council;
3. the counter-party of the transaction;
4. other data, determined by the municipal council in the Ordinance of Art. 8, para. 2.

Chapter five. MUNICIPAL FLATS

Art. 42. (amend. SG 101/04) (1) According to their designation the municipal abodes shall be:

1. for accommodation for rent citizens with established residential needs;
2. for sale, exchange and indemnification of former owners, which properties have been alienated for municipal needs;
3. departmental;
4. reserve.

(2) The abodes of para 1 shall be determined by the municipal council upon proposal by the mayor of the municipality and they can be changed according to the needs of the municipality.

(3) The conceding and the use of municipal homes for non residential needs shall be forbidden.

(4) The prohibition of para 3 shall not be applied in the cases when the municipality disposes with free abodes for accommodation, for which there are no citizens in need, meeting the requirements of Art. 43 and 45. In these cases the using of municipal homes for non residential needs shall be admissible after change of their designation by the order of the Spatial Planning Act.

Art. 43. (amend. SG 101/04) (1) In the flats for rent shall be accommodated:

1. persons with residential needs, established by the order of the ordinance of Art. 45a, para 1.
2. tenants of municipal homes, affected by new construction, superstructure or additional construction, major repair or reconstruction;
3. persons, whose homes have been restored to their former owners by the order of Art. 7 of the Restoring Ownership of Nationalized Real Estate Act.

Art. 44. (revoked – SG 101/04)

Art. 45. (amend. SG 101/04) (1) In the reserve flats shall be accommodated for rent for a period, not longer than two years, persons:

1. whose flats have become unfit for abode, as a result of natural or elemental calamities and accidents or are threatened by self collapse;
 2. in whose families there are acute social or health problems.
- (2) (revoked – SG 54/08).

Art. 45a. (new – SG 101/04) (1) The conditions and the order for establishing of residential needs and for accommodating for rent in the abodes of Art. 43 and 45 shall be determined with an

ordinance by the municipal council.

(2) The ordinance of para 1 shall also be determined the conditions and the order for accommodation in the departmental abodes of the municipality.

(3) Free municipal abodes, for accommodation in which there are no citizens in need, meeting the requirements of Art. 43 and 45, can be let for rent at market prices under conditions and by order, determined in the ordinance of para 1.

Art. 46. (amend., SG 96/99, amend. SG 101/04) (1) The rental legal relations shall be terminated due to:

1.(amend. – SG 54/08) non-payment of the rental price or the consumable expenses for more than three months;

2. implementing new construction, superstructure or additional construction, major repair or reconstruction, when inhabited premises are affected;

3. breach of good morals;

4. not rendering the care of good husbandry at using the abode.

5. termination of employment or official legal relations of the persons, accommodated in departmental abode unless in the ordinance of Art. 45a, para 1 other is provided;

6. elapse of the term for accommodation;

7. falling away of the conditions for accommodation of the tenant in municipal abode;

8. using of the abode not for its designation;

9. (new - SG 15/11) other conditions specified in the ordinance referred to in Art. 45a, Para 1.

(2) The rental legal relation shall be terminated with order by the body, issued the accommodation order. In the order shall be pointed out the grounds for termination of the rental legal relation and the term for vacating of the abode, which cannot be longer than one month.

(3) At termination of the rental legal relation pursuant to para 1, item 2 to the order of para 2 shall be attached accommodation order for another municipal abode if the tenant meets the conditions for accommodation.

(4) At elapse of the term of accommodation the rental legal relation can be extended if the tenant meets the conditions for accommodation for rent in a municipal abode.

(5) (amend. - SG 30/06, in force from 12.07.2006 and for the replacement of the word "regional" by "administrative" in force from 01.03.2007, suppl. - SG 77/18, in force from 01.01.2019) The order of para 2 can be appealed before the administrative court by the order of the Administrative Procedure Code. The appeal shall not stop the fulfillment of the order unless the court orders other. The decision of the administrative court is final.

Art. 47. (amend. SG 101/04) (1) The municipal homes, designated for sale, can be sold after decision of the municipal council to:

1. (amend. – SG 100/08, in force from 21.11.2008) rightful claimants under the Act Regulating the Rights of Citizens with Long-Standing Home Savings Deposits;

2. persons, whose abodes are provided to be alienated by the order of chapter three;

3. other persons, meeting the requirements for purchase of municipal homes, determined with the ordinance of Art. 45a, para 1.

(2) The prices of the homes, subject to sale, shall be determined by the municipal council, according to criteria established in the ordinance of Art. 45a, para 1. The sales cannot be implemented at a price, lower than the tax valuation of the property.

(3) The conditions for sale of municipal abodes shall be determined by the municipal council with the ordinance of Art. 45a, para 1.

Art. 48. (amend. SG 101/04) The reserve municipal abodes cannot be sold.

(2) The departmental abodes of the municipality can be sold to employees who have not less than five years continuous practice in the municipal administration.

Art. 49. (1) (prev. art. 49, amend. SG 101/04; suppl. – SG 54/08; suppl. – SG 41/09) Exchange of municipal abodes with housing or non-housing real estate – property of the state, of physical or corporate bodies, shall be carried out under the terms and following the procedure of Art. 40, except in the cases referred to in Para 2.

(2) (new – SG 41/09) The exchange of municipal abodes with housing real estate of natural persons pursuant to social programmes, adopted by the Municipal Council, shall be carried out pursuant to a decision of the Municipal Council according to the procedure specified in the ordinance referred to in Art. 8, Para 2. The exchange shall be carried out according to the tax assessment of the exchanged housing real estates. Under the same procedure an exchange may be carried out only once and only for one housing real estate owned by a natural person with one municipal housing real estate.

(3) (new – SG 101/04; suppl. – SG 54/08; prev. text of Para 02 – SG 41/09; revoked - SG 15/11)

Art. 49a. (new – SG 54/08) (1) Right of construction on properties of private municipal ownership, allocated for construction of social houses, may be established without a tender or competition for construction of a residential building to persons with identified residential needs, to housing cooperatives or societies the members of which shall be only the persons, under the conditions and following the procedure, determined in the ordinance of Art. 45a, para. 1. The price of the construction right shall be determined by the municipal council.

(2) The construction right of par. 1 may not be transferred to third persons.

(3) The houses, acquired pursuant to the provisions of par. 1, may not be leased or be subject to disposal for a period of 15 years.

(4) Violation of the restrictions of par. 2 and 3 shall be a reason for cancellation of the contract for a construction right.

(5) In case of cancellation of the contract the persons, having violated the restrictions of par. 2 and 3 shall not have the rights of Art. 72 – 74 of the Ownership Act.

Art. 50. The rental accommodation, the sale and the exchange of municipal studios and garages shall be carried out under conditions and by an order, determined by the ordinance under Art. 8, para 2.

Chapter six.

ECONOMIC ACTIVITY OF THE MUNICIPALITY (AMEND. - SG 96/99)

Art. 51. (amend. – SG 54/08) (1) The municipality may carry out business activity, to establish municipal enterprises and to participate in joint forms of business activity under the conditions and following procedures, set by a law.

(2) (amend. and suppl. – SG 45/12, in force from 01.01.2013) The municipality may carry out business activity through trade companies with municipal participation in the equity, through civil associations under the Obligations and Contracts Act. The municipality may carry out independently

business activity through municipal enterprises, established under the provisions of this Act.

(3) The municipality may participate in the implementation of various forms of economic activity with free cash resources, except for the grant aids from the state budget, and also with properties and chattels or real rights.

(4) The municipality may participate only in such forms of economic activity, in which its responsibility does not exceed the amount of its share. The municipality may not participate in trade companies as unlimitedly liability partner.

(5) (revoked – SG 45/12, in force from 01.01.2013)

(6) (revoked – SG 45/12, in force from 01.01.2013)

(7) (revoked – SG 45/12, in force from 01.01.2013)

(8) (revoked – SG 45/12, in force from 01.01.2013)

(9) (revoked – SG 45/12, in force from 01.01.2013)

Art. 51a. (new – SG 45/12, in force from 01.01.2013) (1) (amend. - SG 96/17, in force from 02.01.2018) The municipality and the companies with more than 50 percent municipal share in the capital may establish or participate in companies whose capital is not entirely owned by them, after a decision of the municipal council. Participation may be either monetary or non-monetary contribution.

(2) (revoked - SG 96/17, in force from 02.01.2018)

(3) (revoked - SG 96/17, in force from 02.01.2018)

(4) The conditions and order for exercising the ownership rights of the municipality in companies with municipal share in the capital and for the participation of the municipality in civil associations and for entering joint activity contracts shall be determined in an ordinance of the municipal council. In the ordinance shall be determined:

1. the establishment, transformation and termination of single ownership companies with municipal share in the capital;

2. the commissioning of the management and control and the contents of the contracts, the composition and competences of the management and control bodies. the order for determining the representatives of the municipality in the management and control bodies, their rights and obligations, the remuneration and responsibility in case of failure to perform their obligations;

3. the rules for entering rental contracts and disposal of long-term assets and for mandatory property insurance.

Art. 51b. (new – SG 45/12, in force from 01.01.2013) (1) (amend. - SG 96/17, in force from 02.01.2018) The municipality may import available estates and articles or real rights in estates, private state property, as a non-monetary contribution to the capital of companies under the conditions and order specified in the ordinance under Art. 51a, Para 4, following a decision of the municipal council taken by two-thirds majority of the total number of the municipal councillors.

(2) (new - SG 96/17, in force from 02.01.2018) When a commercial company, in whose capital the non-monetary contribution was paid, also has a private participation, the municipality has a blocking quota in adopting the following decisions:

1. amendment of the articles of association or company's contract;

2. increase and decrease of capital;

3. concluding the transactions under Art. 236, para. 2 of the Commerce Act;

4. carrying out disposal transactions with property - subject to a non-monetary contribution of the public partner;

5. transformation and dissolution of the company.

(3) The capital of the single ownership companies with municipal share may be reduced with

the value of estates and articles or real rights made as a non-pecuniary contribution to their capital following a decision of the municipal council.

(4) The estates and articles with the value of which is reduced the capital of single ownership companies with municipal share shall become private municipal property from the entry into force of the decision under Para 3 and shall be managed according to an order adopted by the municipal council.

(5) (prev. para. 2 - SG 96/17, in force from 02.01.2018) The companies with municipal share in the capital may rent out estates or parts thereof brought by the municipality as a non-pecuniary contribution to their capital or limit the real rights in such estates through a public auction or published contest under a procedure determined in the ordinance referred to in Art. 51a, Para 4. The term of the contracts for rental or right to use of such estates shall not exceed 10 years.

Art. 52. (amend., SG 96/99; amend. – SG 54/087) (1) (amend. and suppl. - SG 15/11; amend. SG 15/13, in force from 01.01.2014) The municipal enterprise is a specialised unit of the municipality for implementation of activities and services, funded by the municipal budget..

(2) The municipal enterprise shall be established, transformed and wound up by a decision of the municipal council.

(3) The municipal enterprise shall carry out its activity on the grounds of regulations adopted by the municipal council.

(4) The regulations of par. 3 shall determine the subject of the activity, the structure, the management, the number of staff and the rights and obligations of the enterprise with regard to the provided to it municipal property.

(5) (amend. – SG 15/13, in force from 01.01.2014; amend. – SG 43/16) The Head of the municipal enterprise is a secondary administrator of budget.

Art. 53. (amend., SG 96/99, amend. SG 101/04; amend. – SG 54/08) The municipal enterprise may carry out activity related to:

1. managing, construction, maintenance, repair and reconstruction of assets, networks and facilities of the technical infrastructure and other properties of municipal ownership, and also provision of related to them services to people;

2. provision of other services or carrying out other local activities, relevant for satisfying of needs of the municipality or its residents, which are funded from the municipality budget, determined by the municipal council.

Art. 54. (revoked – SG 54/08; new – SG 45/12, in force from 01.01.2013, amend. - SG 96/17, in force from 02.01.2018) The activities under Art. 53 not carried out by municipal enterprises under Art. 52 shall be commissioned, respectively provided, under the order of the Public Procurement Act and the Concessions Act.

Art. 54a. (new – SG 101/04; amend. – SG 54/08) (1) In the municipality shall be created and maintained public registers for the commercial companies with municipal participation and of the equity of municipal enterprises, for the non-profit corporate bodies and for the civil associations, in which the municipality participates.

(2) (amend. – SG 66/13, in force from 26.07.2013; amend. – SG 98/14, in force from 28.11.2014) The forms of the registers, the procedure of their maintenance and storage shall be determined by an ordinance of the Minister of Regional Development and Public Works and the

Minister of Justice.

Art. 55. (amend., SG 96/99, amend. SG 101/04) The directors of the municipal enterprises shall be appointed by the mayor of the municipality by an order determined by the municipal council.

Chapter seven.

SUPERVISION AND ISSUANCE OF TITLE DEEDS OF THE REAL ESTATES - MUNICIPAL PROPERTY

Art. 56. (suppl., SG 55/97, amend. SG 101/04) (1) (suppl. – SG 54/08; amend. – SG 66/13, in force from 26.07.2013; amend. – SG 98/14, in force from 28.11.2014) For the municipal properties shall be compiled acts for municipal ownership according to models, approved by the Minister of Regional Development and Public Works and the Minister of Justice.

(2) For the temporary constructions, the streets, the squares, the municipal roads and other linear sites of the technical infrastructure acts for municipal ownership shall not be compiled unless a special Act provides otherwise.

Art. 57. (revoked – SG 101/04)

Art. 58. (amend. SG 101/04) (1) The act for municipal ownership shall be compiled in two copies by the official, determined by the mayor of the municipality. The act shall be signed by the compiler, approved by the mayor of the municipality and conceded for entering by the order of the Cadastre and Property Register Act in 7 days term after its approval.

(2) (amend. - SG 29/06; suppl. – SG 87/10) The first copy of the act shall be preserved at the service for entering and the second – at the municipality. A copy of the act shall be sent in 7 days term after its entering to the office for geodesy, cartography and cadastre, to the regional governor or to the persons, to whom the property has been conceded.

(3) (amend. and suppl. – SG 54/08; amend. – SG 66/13, in force from 26.07.2013; amend. – SG 98/14, in force from 28.11.2014) For each municipal property file shall be compiled in compliance with an approved by the Minister of Regional Development and Public Works and the Minister of Justice form, to which shall be attached a copy of the act for ownership and the documents, certifying the occurrence, the change and the termination of the right of ownership of the municipality, the rights, conceded to third persons and also other data, determined in the Ordinance of Art. 63, para. 3.

(4) (amend. – SG 54/08; suppl. – SG 87/10; amend. - SG 15/11) The act for municipal ownership on a state owned property, transferred for free in ownership of the municipality by the state, and also for a property, acquired in municipality ownership through a sale transaction from the state or through an exchange between the municipality and the state, shall be compiled after writing it off from the act books for state ownership as set out in the State Property Act. Within 14 days from adopting the decision of the Municipal Council for free transfer of the ownership, respectively from signing a sales or exchange contract, the competent authority shall write off the property from the act books for state ownership and shall concede the property to the municipality.

(5) (new – SG 54/08; revoked – SG 87/10; new - SG 15/11, amend. and suppl. - SG 13/17) The act for municipality ownership for a property owned by the state that which ownership was transferred to the municipality by virtue of law shall be drawn up according to the requirements of Para 1 - 3 after writing off the property from the act books for state ownership under the conditions of State Property

Act.

Art. 59. (amend. SG 101/04; amend. – SG 87/10) (1) (amend. - SG 15/11) Upon entry into force of the cadastre map for properties owned by the municipality shall be drawn up new municipal property acts indicating the number and date of the previous municipal property acts.

(2) (amend. - SG 15/11) At the entry into force of detailed development plans for regions, where no cadastre map has entered into force, as well as in cases of changes to the detailed development plans, in the cadastre map (cadastre plan), in the land division plans, in the forestry plans and in other plans related to the restitution of the property shall be formed new land properties, for each newly formed land property shall be drawn up a new municipal property act, indicating the number and date of drawing up the preceding act.

(3) The number and date of the newly drawn up acts under Para 1 and 2 shall be indicated in the preceding acts and the corresponding registers.

(4) (amend. - SG 15/11) To the newly drawn up acts under Para 1 and 2 shall apply the provisions of Art. 58, Para 1 - 3.

(5) (revoked - SG 15/11)

(6) (suppl. - SG 15/11; amend. - SG 91/12) The municipalities shall not pay fees for issue of drawings and provision of references for the properties owned by the municipality.

Art. 60. (amend. SG 101/04) (1) At change of the character of the ownership from public to private or vice versa a new act shall be compiled, this circumstance being marked in the new and in the old act and in the registers.

(2) (revoked – SG 54/08; new - SG 15/11) To the newly drawn up acts under Para 1 shall apply the provisions of Art. 58, Para 1 - 3.

(3) (new – SG 87/10; amend. - SG 15/11) In cases of other changes to the data in the municipal property act, other than those referred to in Para 1 and under Art. 59, as well as in cases of establishing obvious errors shall be drawn up an act for correction of the municipal property act.

(4) (new – SG 87/10) The number and date of the act for correction of a municipal property act shall be indicated in the corrected acts and in the corresponding registers.

(5) (new - SG 15/11) To the acts for rectification of act for municipal property under Para 3 shall apply the provisions of Art. 58, Para 1 and 2.

Art. 60a. (new – SG 87/10) No fee shall be due for entry in the registry agency of municipal property acts and of acts for correction of municipal property acts.

Art. 61. (amend. SG 101/04; amend. – SG 54/08) In the act for municipal ownership shall be entered the data under Art. 30, para. 2, item 4, Art. 60, items 1 – 7, Art. 61, para. 1, item 5, 7, 9 and 10 and Art. 84, para. 2 of the Cadastre and Property Register Act.

Art. 62. (1) (amend. SG 101/04) The acts for municipal ownership shall be entered with consecutive numbers in the register, shall be stringed in the act books and shall be kept in the respective offices "Municipal property".

(2) (amend. SG 101/04) The act books for the municipal properties shall be generally accessible, and everybody can request information on them, under conditions and by an order,

determined by the ordinance of Art. 8, para 2.

(3) (amend. SG 101/04; amend. - SG 15/11) On the act for municipal ownership, which has ceased to be property of the municipality, shall be indicated that it has been written off and shall be indicated the grounds for its writing off from the act books for municipal property and it shall be kept in the way, provided in para 1.

(4) (new - SG 15/11) For the issue of a certificate for availability or lack of an act for municipal property, for availability or lack of claims for restoration of the property and for a certificate that the property has been written off the act books for the properties owned by the municipality shall be paid fees in amounts determined by the municipal council.

Art. 63. (amend. SG 101/04) (1) (suppl. – SG 54/08; amend. – SG 66/13, in force from 26.07.2013; amend. – SG 98/14, in force from 28.11.2014) On the grounds of the compiled acts for municipal ownership shall be created chief register for the public municipal property and chief register of the private municipal property, according to forms, approved by the Minister of Regional Development and Public Works and the Minister of Justice.

(2) The acts for municipal ownership, the chief registers and the dossiers of the properties shall be preserved termless.

(3) (amend. – SG 54/08; amend. – SG 66/13, in force from 26.07.2013; amend. – SG 98/14, in force from 28.11.2014) The registers shall comprise the batches of respective properties. The procedure of formation, maintenance and keeping of the acts, files and registers and of making amendments thereto shall be determined by an ordinance of the Minister of Regional Development and Public Works and the Minister of Justice.

(4) (new – SG 54/08) For the registers of par. 1 computer based information systems shall be created, which maintain connection with the cadastre and the property register.

(5) (new – SG 54/08; amend. – SG 66/13, in force from 26.07.2013; amend. – SG 98/14, in force from 28.11.2014) The conditions and the procedure of generation, maintenance and use of the information systems, and also of direct access to data therein shall be determined by an ordinance of the Minister of Regional Development and Public Works and the Minister of Justice.

Art. 64. (1) (amend. SG 101/04) The properties incorrectly registered as municipal property as well as the properties for which the grounds for registration have dropped out, shall be written off from the act books with an order by the mayor of the municipality and shall be returned to the owner.

(2) The disputes on the material right shall be settled by court order.

Art. 65. (1) Municipal property, which is used or hold without grounds, which is not used according to its designation or the need of it has dropped out, shall be taken back on the grounds of an order of the mayor of the municipality.

(2) (New, SG 96/99) In the Capital municipality and in the cities with regional division the orders under para 1 can also be issued by the mayors of the regions in the cases and by an order established by the municipal council.

(3) (Prev., para 2 - SG 96/99, amend. SG 101/04) The order for taking back the real estate shall be carried out by an administrative order, with the assistance of the police.

(4) (Prev. para 3 - SG 96/99; amend. - SG 30/06, in force from 12.07.2006) The order under para 1 shall be subject to appeal by the order of the Administrative Procedure Code. The appeal shall not suspend the fulfilment of the order, unless the court rules otherwise.

(5) (new – SG 54/08) The persons, from whom properties have been taken back under par. 1,

shall not have the rights under Art. 72 – 74 of the Ownership Act.

Art. 66. (1) (amend., SG 96/99, amend. SG 101/04) The state bodies shall be obliged to render the necessary assistance to the municipalities in connection with the management and disposition of properties – municipal property.

(2) (revoked – SG 101/04)

Art. 66a. (new – SG 101/04) The mayor of the municipality shall compile and concede to the municipal council accounts about the status of the municipal property and the results of its management by kinds and categories of sites, according to a order, defined in the ordinance of Art. 8, para 2.

Chapter eight.

GRANTING CONCESSIONS (REVOKED - SG 36/06, IN FORCE FROM 01.07.2006)

Art. 67 (1) (amend., SG 96/99, amend. SG 101/04, revoked - SG 36/06, in force from 01.07.2006)

Art. 68. (1) (amend., SG 96/99, revoked - SG 36/06, in force from 01.07.2006)

Art. 69. (amend. SG 101/04, revoked - SG 36/06, in force from 01.07.2006)

Art. 70. (revoked – SG 101/04)

Art. 71. (revoked - SG 36/06, in force from 01.07.2006)

Art. 72. (revoked - SG 36/06, in force from 01.07.2006)

Art. 73. (revoked - SG 36/06, in force from 01.07.2006)

Art. 74. (revoked - SG 36/06, in force from 01.07.2006)

Art. 75. (revoked - SG 36/06, in force from 01.07.2006)

Art. 75a. (new – SG 101/04, revoked - SG 36/06, in force from 01.07.2006)

Chapter nine.

ADMINISTRATIVE AND PENALTY PROVISIONS (revoked – SG 54/08)

Art. 76. (amend., SG 96/99; revoked – SG 54/08)

Art. 77. (amend., SG 96/99; revoked – SG 54/08)

Art. 78. (amend., SG 96/99; revoked – SG 54/08)

Art. 79. (revoked – SG 54/08)

Art. 80. (revoked – SG 54/08)

Additional provisions

§ 1. (revoked – SG 101/04; new – SG 54/08) In the meaning of This Act:

1. "Adequate monetary indemnification" is the price of the deprived property or of a part thereof, determined pursuant to the provisions of This Act.

2. (amend. - SG 15/11) "Market prices of properties with similar characteristics" are the average prices of all transactions with properties, located near the alienated property, having the same concrete or prevailing designation, having the same type of construction with the same or close indices of design and construction and/or established manner of permanent use like the alienated property for: purchase and sale, exchange, establishment of real rights or a transfer of ownership against the obligation to carry out construction, mortgage, sales through tenders by state and private bailiffs, state institutions and municipalities, and also other transactions against payment between natural persons and/or corporate bodies, under which at least one of the parties is a trader, concluded within 12 months prior to the date of assigning of the valuation and entered by the Registry office of the location of the property. If within 12 months before the date of assigning the evaluation, in the registry service at the location of the property have been recorded more than twenty transactions, the last twenty recorded transactions shall be taken into account in determining the market value.

3. "Properties, located near the deprived property" are the properties, which are located:

a) within the same price zone of the alienated property – in the urbanized territories;

b) (amend. - SG 19/11, in force from 09.04.2011) within the same land area of the alienated property – in agricultural territories and in forest territories.

4. (revoked - SG 15/11)

5. (new - SG 15/11) "increased value" means the difference of the price of the land property before its regulation and after its regulation or after the change of the regulation plan and of the construction plan in respect of the property.

6. (new - SG 15/11) "Sites of primary significance" means: municipal roads, metropolitans, tram lines, streets of the primary street network, depots or other facilities for waste processing, graveyards, and other sites public municipal property determined in the programme referred to in Art. 8, Para 9 as sites of primary significance.

7. (new - SG 15/11) "Adequate properties":

a) outside the urban territories means properties meeting the characteristics and which value

was determined under the conditions and order of Art. 23;

b) in the urban territories means the properties which price difference does not exceed ten percent, having the same concrete or predominant designation, located within the boundaries of one urban territories in a space zone with the same or similar spatial and construction indices and having the same construction character.

8. (new - SG 15/11) "Properties with similar spatial and construction indices" means properties with the same type of construction, which differ in their maximum density of construction less than 5 percent.

9. (new – SG 45/12, in force from 01.01.2013, revoked - SG 96/17, in force from 02.01.2018)

§ 2. (revoked – SG 54/08)

§ 3. (revoked - SG 15/11)

Transitional and concluding provisions

§ 4. The physical and corporate bodies, who use municipal real estate, shall be obliged, within six months from the enactment of This Act, to inform in writing the respective office "Municipal property" at the location of the real estate.

§ 5. (1) The issuance of title deeds for the real estates, municipal property by the date of enactment of This Act, shall be carried out within six months from the same date.

(2) Within the period under para 1 the municipal councils shall announce by a decision the real estates and chattel - public municipal property.

§ 6. (revoked – SG 101/04)

§ 7. (1) The rental contracts, concluded by the established order, by June 1, 1996, whose term has not expired, shall retain its effect until the end of the contracted period, but for no more than 3 years from the enactment of This Act.

(2) The municipal councils shall determine basic rental prices of the municipal real estates within three months from the enactment of the law.

(3) The contracts, concluded by the adoption of the decisions under para 2, at rental prices, lower than the basic ones, shall be updated according to the determined basic prices.

§ 8. The opened procedures for sale, exchange, establishment of real rights over the real estates, private municipal property, and for partition of such real estates and chattel, possessed by the municipality as joint ownership, shall be concluded by the previous order.

§ 9. (1) (revoked - SG 36/06, in force from 01.07.2006)

(2) The persons, who have legally acquired or who exercise rights over the objects under Art. 69 and the activities under Art. 70, until the enactment of This Act, shall be obliged to declare them at the municipal council within three months from the enactment of the law.

(3) With the expiration of the term under para 2 the rights which have not been declared shall be considered reimbursed.

(4) For the rights, declared according to para 2, the municipal council shall take a decision for their updating, in compliance with the law, within one year.

§ 10. (1) (New, SG, 22/98; amend., SG, No 93/98) With the enactment of the law ownership of the municipalities shall become the objects, constructed with state resources, ceded to the former people's councils, or by voluntary labour and resources of the population.

(2) (New, SG No 22/98) On starting procedures under Art. 9 or Art. 28 of the Administrative and Territorial Structure of the Republic of Bulgaria Act all transactions with the municipal property on the territory of the respective settlements shall be suspended.

(3) (New, SG No 22/98) When the results of the procedure under Art. 9 or Art. 28 of the Administrative and Territorial Structure of the Republic of Bulgaria Act are negative, the imposed suspension under para 2 shall be dropped off.

§ 11. (revoked – SG 101/04)

§ 12. In the Concessions Act (prom., SG, No 92 of 1995, No 16 of 1996 - Decision No 2 of the Constitutional Court of 1996) in § 1, para 1 of the transitional and concluding provisions is amended as follows:

"(1) The granting of concessions for objects, municipal property, as well the issuance of permits for activities, carried out by the municipalities, shall be determined by a separate law."

§ 13. In the Agricultural Property Protection Act (prom., SG, No 54 of 1974) the following amendments are introduced:

1. In Art. 10, para 1 the words "heads of the agricultural organization" are replaced by "the mayor of the region or of the town council".

2. In Art. 16, para 2 the words "the agricultural organization" are replaced by the words "the municipality".

3. In Art. 23, para 2 the words "of the agricultural organization" and "or from own resources" are deleted.

§ 14. The Act on Rental Relations (prom., SG, No 53 of 1969) is revoked.

§ 15. The following amendments are introduced to the Code of Civil Procedure (prom., Izvestiya No 12, 1952):

1. In Art. 288, para 8, first sentence, the words "the Act on Rental Relations" are replaced by "the State Property Act", and in sentence three the words "under Art. 10 of the Act on Rental Relations" are replaced by "determined by the established order for the state flats".

2. The following amendments are introduced to Art. 415:

a) in para 2 the words "and after the joint holder who occupies the flat is ceded another flat under the conditions of Art. 46 or 47 of the Act on rental relations. If the assigned flat surpasses the housing needs of the person who occupies it, determined by Art. 5 and 6 of the Act on rental relations, the decision shall be fulfilled for the part of the flat, exceeding the norms under these provisions, without ceding another flat" are deleted.

b) para 3, 4 and 5 are revoked.

§ 16. In § 3 of the Act on restoring the ownership of real estate to Bulgarian citizens of Turkish origin, who have applied for leaving for the Republic of Turkey and other countries, in the period May-September 1989 (prom., SG, No 66 of 1992, No 102 of 1992 - Decision No 18 of the Constitutional Court of 1992) the words "Art. 10 of the Act on rental relations" are replaced by "the State Property Act for the state flats".

§ 17. In Art. 25 of the Cultural Monuments and Museums Act (prom., SG, No 29 of 1996, No 31 of 1996 - Decision of the Constitutional Court of 1996) the words "are exempt from the effect of the Act on rental relations" are deleted.

§ 18. In Art. 37, para 4, first sentence of the Act on citizens' property (prom., SG, No 26 of 1973) the words "accommodated under the conditions of the Act on rental relations" are deleted, and at the end of the sentence is added "if they meet the requirements for accommodation in state or municipal flats".

§ 19. The pending court cases under § 14, 15, 16 and 18 shall be settled by the previous order.

§ 19a. (new – SG 45/12, in force from 01.01.2013, revoked - SG 96/17, in force from 02.01.2018)

§ 19b. (new – SG 45/12, in force from 01.01.2013, revoked - SG 96/17, in force from 02.01.2018)

§ 20. (revoked – SG 101/04)

§ 21. The Act shall come into force on June 1, 1996.

The Act was adopted by the 37th National Assembly on May 9, 1996 and was affixed with the state seal.

Transitional and concluding provisions (SG 96/99)

§ 42. The built and not built plots and real estates - private state property allocated for housing

construction and for public and urban development activities of the municipalities, according to the provisions of the detailed urban plans acting by the date of enactment of This Act, shall be passed on to the ownership of the municipalities.

§ 43. (1) The unfinished proceedings for renting and for administering real estates - state property, passing by virtue of This Act into the ownership of the municipalities, shall be concluded by the municipalities at the location of the real estates.

(2) The opened files under para 1 shall be sent to the respective municipal administrations.

§ 44. In Art. 11 of the Inheritance Act (prom., SG No 22 of 1949; corr., No 41 of 1949; amend., No 275 of 1950, No 41 of 1985, No 60 of 1992; No 21 of 1996 - Decision No 4 of the Constitutional Court of 1996; amend., No 104 of 1996, No 117 of 1997) after the words "the state" a comma is added followed by "with exception of the chattel, the flats the studios and the garages, as well as the plots and the real estates designated primarily for housing construction, which become property of the municipality on whose territory they are located".

§ 45. The following amendments are introduced to Art. 5 of the Law for restoration of the ownership of some expropriated real estates according to the Act on territorial and urban development, the Act on planned construction of populated areas, the Act on urban development of populated areas, the State Property Act and the Ownership Act (prom., SG No 15 of 1992; suppl., No 107 of 1997):

1. In para 1 the word "state" is replaced by "municipal".

2. In para 2 the words "Art. 16 of the Ownership Act" are replaced by "Art. 65 of the Municipal Property Act".

3. In para 3 the word "state" is replaced by "municipal" and the words "municipal councils" are replaced by "the municipalities".

§ 46. (1) The sites - public municipal property cannot be a part of the property of sole owner trade companies with municipal property.

(2) The municipal councils shall undertake the necessary activities for reduction of their capital by the value of the sites under para 1 by the order of the Commercial Law.

(3) The municipal councils can grant without a tender or a competition concessions to companies for the sites under para 1 within three months from the enactment of the law.

(4) In carrying out privatisation assessment in the cases under para 3 and Art. 71, para 3 taken into consideration shall be the granted concession rights and the due concession remuneration. The privatisation contract shall be concluded upon the concession contract.

(5) (revoked - SG 36/06, in force from 01.07.2006).

§ 47. In § 5a of the additional provisions of the Act on transformation of state and municipal enterprises (prom., SG, No 38 of 1992; amend. and suppl., No 51 of 1994, No 45, 57 and 109 of 1995, No 42, 45, 68 and 85 of 1996; corr., No 86 of 1996; amend., No 55, 61, 89, 98 and 122 of 1997, No 39 of 1998; corr., No 41 of 1998; amend., No 70 of 1998, No 12 of 1999; No 47 of 1999 - Decision No 8 of the Constitutional Court of 1999; amend., No 56 and 84 of 1999) para 6 is created:

"(6) The provisions of the preceding paras shall also apply in the privatisation of trade companies with municipal property which use sites and/or carry out activities subject to concession

according to the provisions of Chapter Eight of the Municipal Property Act."

§ 48. The municipal enterprises and companies carrying out activities other than the one under Art. 53 shall be transformed into sole owner trade companies with municipal property by May 31, 2000.

§ 49. The contracts concluded by the regional governors for sites according to Art. 2, para 1, item 6 shall retain their validity.

The Act was adopted by the 38th National Assembly on October 21, 1999 and was affixed with the official seal of the National Assembly.

Transitional and concluding provisions (SG 101/04)

§ 74. (1) The started procedures for alienation of properties – private property, shall be finished by the order of This Act except in the cases of court procedure for admitting the alienation.

(2) The formation of court procedures for admitting the alienation shall be finished observing the terms of art. 27.

§ 75. All acts for municipal property, compiled by the order of the law, regardless of the date of their compiling, shall be entered upon ruling by the judge for entering.

§ 76. (1) In three months term after This Act enters into force the Minister of Regional Development and Public Works shall issue ordinance, in which shall be approved the models of the acts for municipal property and the registers, and determine the order for keeping and preserving them.

(2) The mayors of municipalities shall organize the compiling of the registers under This Act in three months term after the ordinance of para 1 enters into force.

§ 77. (1) The registers under This Act shall be public. The interested persons shall have right by order, determined by the mayor of the municipality, to free access to the data in them unless the data are not classified information in the sense of the Protection of Classified Information Act.

(2) Till the compiling of the registers the information of art. 75a about the concession contracts, concluded before This Act enters into force, can be freely received by each individual or corporate body on the basis of written request to the mayor of the municipality.

§ 78. (1) In three months term after This Act enters into force the municipal councils shall adopt the amendments and the supplements of the ordinances for the implementation of the law.

(2) The contracts for rent, concluded for term shorter than 10 years and which term has not expired, upon request by the tenant can be extended for term of 10 years with a decision of the municipal council.

Transitional and concluding provisions

TO THE ADMINISTRATIVE PROCEDURE CODE

(PROM. – SG 30/06, IN FORCE FROM 12.07.2006)

§ 89. The following amendments shall be done to the Employment Promotion Act (prom. - SG 44/96; amend. - SG 104/96, 55/97; 22 and 93/98; 23, 56, 64, 67, 69 and 96/99; 26/00; 34/01; 120/02; 101/04):

.....
5. The words "Act on Administrative Proceedings Act" shall be replaced by "Administrative procedure code".
.....

§ 142. The code shall enter into force three months after its promulgation in State Gazette, with the exception of:

1. division three, § 2, item 1 and § 2, item 2 – with regards to the repeal of chapter third, section II "Appeal by court order", § 9, item 1 and 2, § 15 and § 44, item 1 and 2, § 51, item 1, § 53, item 1, § 61, item 1, § 66, item 3, § 76, items 1 – 3, § 78, § 79, § 83, item 1, § 84, item 1 and 2, § 89, items 1 - 4 § 101, item 1, § 102, item 1, § 107, § 117, items 1 and 2, § 125, § 128, items 1 and 2, § 132, item 2 and § 136, item 1, as well as § 34, § 35, item 2, § 43, item 2, § 62, item 1, § 66, items 2 and 4, § 97, item 2 and § 125, item 1 – with regard to the replacement of the word "the regional" with the "administrative" and the replacement of the word "the Sofia City Court" with "the Administrative court - Sofia", which shall enter into force from the 1st of May 2007;

2. paragraph 120, which shall enter into force from the 1st of January 2007;

3. paragraph 3, which shall enter into force from the day of the promulgation of the code in State Gazette.

Transitional and concluding provisions TO THE CONCESSIONS ACT

(PROM. - SG 36/06, in force from 01.07.2006)

§ 23. The Act shall enter into force from the 1st of July 2006, except for art. 42, para 3 and art. 58, para 4, which shall enter into force from the date of accession of the Republic of Bulgaria to the European Union.

Transitional and concluding provisions TO THE CIVIL PROCEDURE CODE

(PROM. – SG 59/07, IN FORCE FROM 01.03.2008)

§ 61. This code shall enter into force from 1 March 2008, except for:

1. Part Seven "Special rules related to proceedings on civil cases subject to application of European Union legislation";

2. paragraph 2, par. 4;

3. paragraph 3 related to revoking of Chapter Thirty Two "a" "Special rules for recognition and admission of fulfilment of decisions of foreign courts and of other foreign bodies" with Art. 307a – 307e and Part Seven "Proceedings for returning a child or exercising the right of personal relations" with Art. 502 – 507;

4. paragraph 4, par. 2;
5. paragraph 24;
6. paragraph 60,

which shall enter into force three days after the promulgation of the Code in the State Gazette.

Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE LOCAL ELECTIONS ACT

(PROM. - SG 63/07, IN FORCE FROM 03.08.2007)

§ 98. This Act shall enter into force from the day of its promulgation in the State Gazette.

Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE MUNICIPAL PROPERTY ACT

(PROM. - SG 54/08)

§ 37. (1) Within three months after entering of This Act into force the Minister of Regional Development and Public Works and the Minister of Justice shall approve the specimens of the acts of municipal ownership and of the registers and shall issue the ordinances referred to in This Act.

(2) The mayors of municipalities shall organize the compilation of the registers referred to in This Act within three months after entering into force of the relevant ordinances of par. 1.

(3) The mayors of municipalities shall organize the compilation of the register referred to in Art. 41, par. 4 within three months after entering of This Act into force.

(4) The municipal councils shall adopt strategies of management of municipal properties, the amendments and supplementations to the ordinance for implementation of the Act and shall determine price zones in the urbanized territories within three months after entering of This Act into force.

(5) Deprivation proceedings, for which there are decisions adopted by the municipal councils under the revoked Art. 23, shall be finalized following the procedures existing so far.

§ 42. For the pending proceedings for sale of a land - private municipal ownership to owners of a legally constructed on it building, instituted under the revoked § 27 of the Transitional and Concluding provisions of the act amending and supplementing the Ownership Act (SG 33/96), for which there is an application submitted to the mayor of the municipality prior to the day of entering of This Act into force, the price of the land shall be determined by increasing the tax assessment by 20 per cent.

Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE FARM LAND OWNERSHIP AND USE ACT

(PROM. – SG 10/09)

§ 18. (1) Proceedings under Art. 45 of the State Property Act and under Art. 40 of the Law, which have been initiated prior to the entry into force of This Act for the Municipal Property shall be completed according to the previous terms and procedure by March 1, 2009.

(2) Initial date of the proceedings mentioned in para 1 shall be the date on which the interested

persons have filed written proposals for exchange to the competent authorities.

**Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE SPATIAL DEVELOPMENT ACT**

(PROM. – SG 17/09)

§ 12. Real estates or parts thereof, which are state property, and are provided or intended for education, science, healthcare or culture purposes according to the detailed development plans in force, shall be provided to the Council of Ministers for management by the respective ministry according to their purpose in the detailed city plan within three months from the entry into force of This Act.

§ 13. (1) By the entry into force of This Act the implementation of the detailed development plans in effect shall be suspended in their parts relating to estates the ownership of which has been restored as regards to education, science, healthcare or culture sites, provided that the said plans amend their purposes.

(2) Where there is state or municipal necessity, the competent authorities under Art. 135, para 1 shall, within a year from the entry into force of This Act, issue an order as per Art. 135, para 5 for amendment of the detailed development plans under para 1. There is a state or municipal necessity of amendment of the plans if within the said term the respective minister or municipal council has made a proposal to the competent authority for amendment of the plans under para 1.

(3) Within a term of one year from the entry into force of the amended detailed development plans under para 2 the state or the municipality shall expropriate the respective estates or parts thereof according to the State Property Act, respectively the Municipal Property Act.

(4) Para 1 shall not apply if within the term fixed in para 2 has been issued order amending the detailed development plan.

(5) Owners of estates or parts thereof, subject of the plan under para 2, which have not been expropriated within the term of para 3 shall have the rights as per Art. 135, para 1.

.....

§ 16. Proceedings related to restoration of ownership of real estate which are public state property and public municipal property and have not been completed by the entry into force of This Act, shall be terminated.

**Transitional and concluding provisions
TO THE CULTURAL HERITAGE ACT**

(PROM. – SG 19/09, IN FORCE FROM 10.04.2009.)

§ 44. This Act shall enter into force from April 10, 2009, except for Art. 114, para 2 and Art. 126, which shall enter into force from April 10, 2010.

**Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE MUNICIPAL PROPERTY ACT**

(PROM. – SG 15/11)

§ 23. (1) The expropriation proceedings of private properties pending at the date of entry into force of This Act, for which and order under Art. 25, Para 2 has been issued, shall continue under the previous order.

(2) In the cases referred to in Para 1 the requests under Art. 29, Para 7 may be filed within 6 months from entry into force of This Act.

§ 24. Where, at the date of entry into force of This Act, the three-year time limit under Art. 31, Para 1 has expired and the construction of the site according to the detailed spatial plan has not begun or the property is not used for the purpose of its expropriation, the requests for revocation of the expropriation may be filed within one year from entry into force of This Act.

**Transitional and concluding provisions
TO THE FORESTRY ACT**

(PROM. – SG 19/11, IN FORCE FROM 09.04.2011)

§ 42. This Act shall enter into force within one month from its promulgation in the State Gazette except:

1. paragraph 3, § 9, Para 9 - 11 and § 16, Item 41, which shall enter into force from the day of promulgation of This Act in the State Gazette;

2. Art. 14, Para 1, Item 2, Art. 115, Para 1, Item 2, Art. 116, Para 2, Art. 183, Para 2, Item 3 and Art. 249, Para 5, Item 3, which shall enter into force from 1 January 2016.

**Transitional and concluding provisions
TO THE PUBLIC-PRIVATE PARTNERSHIP ACT**

(PROM. - SG 45/12, IN FORCE FROM 01.01.2013)

§ 16. This Act shall enter into force from 1 January 2013, except § 4, § 5, § 7, § 8, § 9, § 10 and § 13, which shall enter into force from 1 September 2012.

**Concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE MUNICIPAL PROPERTY ACT**

(PROM. – SG 91/12)

§ 5. Paragraph 1 shall enter into force from 1 January 2013.

**Transitional and concluding provisions
TO THE ACT ON PUBLIC FINANCE**

(PROM. – SG 15/13, IN FORCE FROM 01.01.2014)

§ 123. This Act shall enter into force from 1st of January 2014, except for § 115, which shall enter in force from 1st of January 2013, and § 18, § 114, § 120, § 121 and § 122, which shall enter into

force from 1st of February 2013

**Transitional and concluding provisions
TO THE SPATIAL DEVELOPMENT ACT**

(PROM. – SG 66/13, IN FORCE FROM 26.07.2013)

§ 74. In the Environmental Protection Act shall be made the following amendments:

2. The words “the Minister of Regional Development and Public Works” shall be replaced respectively by “the Minister of Regional Development” everywhere in the text.

§ 117. The Act shall enter into force from the date of its promulgation in the State Gazette.

**Transitional and concluding provisions
TO THE SPATIAL DEVELOPMENT ACT**

(PROM. – SG 98/14, IN FORCE FROM 28.11.2014)

§ 117. The Act shall enter into force from the date of its promulgation in the State Gazette.

**Transitional and concluding provisions
TO THE PUBLIC PROCUREMENT ACT**

(PROM. – SG 13/16, IN FORCE FROM 15.04.2016)

§ 29. This Act shall enter into force on April 15, 2016, with the exception of:

1. Article 39, which shall enter into force on July 1, 2017 and – regarding the central purchasing bodies - from January 1, 2017;

2. Article 40:

a) Para 1 and Para 3, item 1-4 and item 10, which shall enter into force from July 1, 2017;

b) Para 3 item 5-9, which shall enter into force from January 1, 2020;

3. Article 41, Para 1 - on technical compatibility and connectivity, and para 2, which shall enter into force from July 1, 2017;

4. Article 59, Para 4, which shall enter into force on July 1, 2018;

5. Article 67:

a) Para 4 - concerning the mandatory representation of ESPD in electronic form, which shall enter into force on April 1, 2018;

b) Para 8, item 2, which shall enter into force on June 1, 2018;

6. Article 97, which shall enter into force on January 1, 2017;

7. Article 232, which shall enter into force on September 1, 2016;

8. § 26, Para 1 and § 27, which shall enter into force from the day of promulgation of the Act in the State Gazette.

**Transitional and concluding provisions
TO THE CONCESSIONS ACT**

(PROM. - SG 96/17, IN FORCE FROM 02.01.2018)

§ 41. The Act shall enter into force within one month from its promulgation in the State Gazette with the exception of:

1. Article 45, Para. 5, which enters into force within 12 months of the promulgation of the Act in the State Gazette;

2. Article 191, Para. 2-5, Art. 192 and 193, which shall enter into force on 31 January 2019.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE ADMINISTRATIVE PROCEDURE CODE

(PROM. - SG 77/18, IN FORCE FROM 01.01.2019)

§ 156. The Act shall enter into force on 1 January 2019, with the exception of:

1. paragraphs 4, 11, 14, 16, 20, 30, 31, 74 and § 105 item 1 on the first sentence, and item 2 which shall enter into force on 10 October 2019;

2. paragraphs 38 and 77, which shall enter into force two months after the promulgation of this Act in the State Gazette;

3. paragraph 79, items 1, 2, 3, 5, 6 and 7, § 150 and 153, which shall enter into force on the day of the promulgation of this Act in the State Gazette.

Concluding provisions

TO THE ACT AMENDING THE ACT ON THE STATE BUDGET OF THE REPUBLIC OF BULGARIA FOR 2019

(PROM. - SG 60/19, IN FORCE FROM 30.07.2019)

§ 6. The Act shall enter into force on the day of its promulgation in the State Gazette.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE ACT ON WATERS

(PROM. - SG 61/19, IN FORCE FROM 02.08.2019)

§ 11. The Act shall enter into force on the day of its promulgation in the State Gazette, with the exception of § 6, which shall enter into force on 7 July 2018.

Transitional and concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE SPATIAL DEVELOPMENT ACT

(PROM. - SG 16/21)

§ 90. The register under Art. 21, para. 10 of the Municipal Property Act shall be established within one year from the entry into force of this Act.