

# Physical Education and Sports Act

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Text in Bulgarian: Закон за физическото възпитание и спорта

## Chapter One GENERAL PROVISIONS

**Article 1.** This Act shall regulate public interactions related to the development and management of the system of physical activity, physical education, sport, and sports and tourism activities in the Republic of Bulgaria.

**Article 2.** The purpose of this Act shall be:

1. to ensure the organisation of the system of physical activity, physical education, sport, and sports and tourism activities;
2. to create conditions for the development of physical activity, physical education, sport, and sports and tourism activities;
3. to provide opportunities for the development of the nation's sports potential through creating conditions for practising high-performance sport;
4. to stimulate investments in the construction and management of sports facilities and their use to serve the public interest.

**Article 3.** The development and management of the system of physical activity, physical education, sport, and sports and tourism activities shall be governed by the following principles:

1. publicity, transparency and protection of the public interest;
2. interaction between state and local authorities, and sports organisations;
3. free choice of means and ways to practise physical activity, sport, and sports and tourism activities;
4. equal opportunities for access to physical activity practices, sport, and sports and tourism activities, as well as non-discrimination;
5. respect for values generally accepted in sport.

**Article 4.** Physical activity, physical education, sport, and sports and tourism activities shall perform educational, health, social, cultural and recreational functions.

**Article 5.** (1) State policy in the sphere of physical activity, physical education, sport, and sports and tourism activities shall be implemented via:

1. creating conditions for and facilitating the practice of physical activity, physical education, sport, and sports and tourism activities;
2. creating conditions for and supporting the development of sport for all, including children, adolescents, pupils and students;
3. creating conditions for the development of high-performance sport and supporting the training and participation of national and Olympic teams in international competitions and Olympic Games;
4. creating conditions for and supporting the preparation and holding of world and European championships and cups, as well as regional sports competitions hosted by the Republic of Bulgaria;

5. constructing, renovating and managing state-owned sports facilities;
  6. providing state-owned sports facilities for practising physical activity, physical education, sport, and sports and tourism activities;
  7. supporting, coordinating, and controlling the activities of sports organisations;
  8. undertaking measures to meet anti-doping rules and the fight against the use of doping in sport;
  9. undertaking measures to ensure the safety of sports facilities;
  10. creating conditions for the career development of athletes;
  11. creating conditions for training and improving the qualification of sport and training personnel;
  12. promoting applied research in the sphere of physical activity, physical education, sport, and sports and tourism activities;
  13. creating conditions for the development of public-private partnership in the system of physical activity, physical education, sport, and sports and tourism activities via awarding a concession;
  14. providing access to people with disabilities to state-owned sports facilities.
- (2) The National Assembly shall adopt a 12-year National Strategy for the development of physical activity, physical education, sport, and sports and tourism activities (National Strategy).

**Article 6.** Municipal policy in the sphere of physical activity, physical education, sport, and sports and tourism activities shall be implemented via:

1. supporting financially the development of physical activity, physical education, sport, and sports and tourism activities in compliance with the National Programme referred to in Article 7, Item 2;
2. creating conditions for practising sport, and sports and tourism activities, as well as providing access to sports facilities constituting municipal property;
3. constructing, renovating and managing sports facilities constituting municipal property;
4. rendering assistance with the organisation of sporting events within the territory of the municipality;
5. creating conditions for the development of public-private partnership in the system of physical activity, physical education, sport, and sports and tourism activities via awarding a concession;
6. providing access to people with disabilities to sports facilities constituting municipal property.

## **Chapter Two**

# **GOVERNING BODIES**

**Article 7.** The Council of Ministers shall set the main guidelines for the development of the state policy in the system of physical activity, physical education, sport, and sports and tourism activities by:

1. submitting a National Strategy for approval by the National Assembly;
2. adopting a 4-year National Programme for the development of physical activity, physical education, sport, and sports and tourism activities;
3. adopting measures for the promotion of priority sporting activities;
4. adopting a National Strategy for the fight against the use of doping in sport;
5. adopting the organisational rules of the Anti-Doping Centre;
6. adopting the organisational rules of the Bulgarian Sports Totaliser State Enterprise.

**Article 8.** The Minister of Youth and Sports shall implement the state policy by:

1. elaborating and submitting the National Strategy for approval by the Council of Ministers;
2. elaborating and submitting for approval by the Council of Minister the National Programme referred to in Article 7, Item 2, as well as the measures for the promotion of priority sporting activities;
3. approving programmes in pursuance of the National Programme under Article 7, Item 2;



4. interacting with state and local authorities, and sports organisations in the course of implementing the National Strategy and the National Programme;
5. supporting sports organisations and other parties in the cases provided for by this Act;
6. creating conditions for applied research in the sphere of physical activity, physical education, sport, and sports and tourism activities;
7. exerting control under this Act;
8. supporting financially the training and participation of Bulgarian athletes in Olympic and Paralympic Games;
9. submitting the organisational rules of the Anti-Doping Centre and of the Bulgarian Sports Totaliser State Enterprise for approval by the Council of Ministers;
10. (amended, SG No. 69/2020) the Minister of Youth and Sports shall approve allocation schemes for the proceeds from the activities of the state-owned enterprise Bulgarian Sports Totaliser under Article 14 paragraphs 1 and 2 of the Gambling Act;
11. approving a list of the military-applied sports upon proposal made by the Minister of Defence;
12. issuing, refusing, withdrawing and terminating sports licences;
13. keeping and maintaining the registers referred to in Article 9, Paragraph 1;
14. concluding international agreements on cooperation in the field of sport in accordance with the competence granted to him by the Council of Ministers;
15. authorizing the conduct of Olympic Games, world and European championships and cups, as well as regional sports competitions within the territory of the Republic of Bulgaria;
16. interacting with the competent state and local authorities to fight violence and anti-social behaviour in sport;
17. organising and facilitating the conduct of awareness-raising campaigns to prevent the use of prohibited substances and prohibited methods in sport, of anti-social behaviour during sporting events, as well as the promotion of healthy lifestyles and health-enhancing physical activity;
18. adopting the criteria and the procedure for awarding athletes, sport experts and public figures in sport; awarding the "Winner's Wreath" honorary mark for merits in the field of sport;
19. (amended, SG No. 69/2020) appoints and dismisses the executive director of the Anti-Doping Centre;
- 19a. (new, SG No. 69/2020) appoints and dismisses the management bodies of the state-owned enterprise Bulgarian Sports Totaliser in coordination with the Minister of Finance;
20. exercising other powers as well provided for by law.

**Article 9.** (1) The Minister of Youth and Sports shall keep public registers of:

1. licensed sports federations and sports clubs having membership thereof;
2. the National Organisation for Sports and Tourism Activities, the National Organisation for University Sports, the united sports clubs, as well as their members;
3. sports facilities;
4. coaching staff.

(2) The registers referred to in Paragraph (1) shall be kept in an open machine-readable format. The circumstances to be entered, the keeping and storage of the registers, the procedures that ensure the functioning of the registers as a unified information system, as well as the access of other administrative bodies to the data therein shall be laid down in an ordinance by the Minister of Youth and Sports.

(3) The circumstances entered in the registers under Paragraph (1) shall be accessible on the website of the Ministry of Youth and Sports.

(4) When rendering complex administrative services, the administrative bodies shall not require from the applicants for administrative services certificates of the circumstances entered in the registers referred to in Paragraph (1).

**Article 10.** (1) The Minister of Youth and Sports may establish a consultative body – an Expert Council for physical activity, physical education, sport, and sports and tourism activities.

(2) The composition, functions and organisation of the activities of the Expert Council for physical activity, physical education, sport, and sports and tourism activities shall be laid down in an order given by the Minister of Youth and Sports.

## **Chapter Three**

### **SPORTS ORGANISATIONS**

#### **Section I**

#### **General Provisions**

**Article 11.** (1) Sports organisations shall develop and popularise sport through the implementation of training, competition, and administrative and organisational activities by sport type.

(2) Sports organisations shall include sports clubs and sports federations.

(3) Sports organisations shall render assistance in the fulfilment of state and municipal policy in the system of physical activity, physical education and sports, and shall participate in the implementation of the National Strategy and the National Programme referred to in Article 7, Item 2.

(4) Sports organisations shall keep separate accounts and shall distinguish revenues, expenses, assets and liabilities related to:

1. economic and non-economic activities, if any;
2. activities that are subject to public support.

#### **Section II**

#### **Sports Clubs**

**Article 12.** (1) Sports clubs shall be non-profit associations or capital companies that organise the practice and development of physical activity and sport through individual and group sporting activities.

(2) Sports clubs shall be:

1. sports clubs for the development of one or more similar sports, and sports clubs for the development of military-applied sports included in the list under Article 8, Item 11;
2. multisport clubs for the development of more than one sport practised according to one unifying principle.

(3) The sports clubs referred to in Paragraph 2, Item 1 shall be members of a single sports federation, and the sports clubs referred to in Paragraph 2, Item 2 - of a single multisport federation.

(4) The conversion of a sports club shall entail neither a change in its ranking or in its teams' ranking in championships and competitions, nor their transition from one group to another.

**Article 13.** (1) The multisport clubs referred to in Article 12, Paragraph 2, Item 2 shall be established adhering to some of the following unifying principles regarding the practice of sports by:

1. learners - pupils, students and/or people studying at vocational colleges;

2. people with disabilities;
3. people of and over working age;
4. military personnel and members of the Armed Forces;
5. civil servants of the Ministry of Interior system;
6. staff of the National Service for Protection;
7. another unifying principle in the field of sport for all.

(2) Only one multisport club may be established according to a unifying principle at a school, a centre for personal development support, a vocational college, a higher education institution, and at a department and/or its structure.

(3) The multisport clubs referred to in Paragraph (2) shall be established upon permission by the relevant governing body and may include in the name concepts related to the name of the school, the centre for personal development support, the vocational college, the higher education institution, the department or its structure.

**Article 14.** The sports club shall meet the following requirements:

1. its name shall include the word "club" and words indicating the practice of sporting activities;
2. its normal operation shall include physical activity, sport or a corresponding unifying principle under Article 13, Paragraph 1;
3. it shall have signed a contract with the coaching staff in the relevant sport, and if it is a multisport club - at least in one type of sport wherein their rights and obligations are regulated;
4. in case it is a non-profit association, only natural persons shall be members thereof, except for the sports clubs under Article 43, Paragraph 1, Item 2 which may be established by a higher education institution.

**Article 15.** (1) A sports club may be a member of a licensed sports federation provided that it meets the requirements under Article 14, and:

1. it is not a member of another sports federation, and respectively, of a multisport federation, except in the cases where its membership of more than one sports federation is expressly permitted by this Act;
2. the members of its governing body are not related parties, and
3. the members of its governing body and the parties related thereto are not members of a governing body of another sports club that is a member of the same sports federation.

(2) To be admitted as a member of a sports federation, the sports club shall present:

1. a declaration in the standard form envisaged in Article 21, Paragraph 1, Item 8 of its conformity with the requirements under Paragraph (1);
2. a list in the standard form envisaged in Article 21, Paragraph 1, Item 9 and evidence of the education, professional competence, qualification and experience of the persons who are to carry out the instruction, the training and the competition activities at the club, as well as the contracts with these persons;
3. a list in the standard form envisaged in Article 21, Paragraph 1, Item 14 of the sports facilities of the club with enclosed ownership documents, contracts for use or rent, or preliminary contracts for the conclusion of a final contract.

**Article 16.** (1) A sports club shall be entered in or deleted from the register referred to in Article 9, Paragraph 1, Item 1 by the Minister of Youth and Sports or by an official empowered thereby on the grounds of a decision to admit or expel the club as a member of a licensed sports federation.

(2) The decision of the sports federation referred to in Paragraph (1) shall be taken pursuant to its statutes and shall be motivated.

(3) Within 30 days after the decision referred to in Paragraph (1) has been adopted, the sports federation shall submit an application for the entry or deletion of the sports club from the register under Article 9, Paragraph 1, Item 1, whereof the club shall be immediately notified.

(4) When, within the term under Paragraph (3) the sports federation has not submitted an application for entry/deregistration of the club from the register referred to in Article 9, Paragraph 1, Item 1, the application shall be submitted by the sports club.

(5) The applications referred to in Paragraphs (3) and (4) may also be submitted electronically according to the terms and procedure set in the Electronic Document and Electronic Trust Services Act and the Electronic Government Act.

**Article 17.** (1) Sports clubs shall:

1. organise the sporting activities of citizens and the practice of physical activity and sport;
2. provide sports services;
3. organise and conduct training activities;
4. organise and conduct competition activities;
5. organise sports competitions upon approval given by the relevant sports federation;
6. participate in sports competitions according to the terms and procedure set by the relevant sports federation;
7. propose to the respective sports federations the granting, termination and withdrawal of athletes' competition rights, and the settlement of relations in this connection;
8. apply for funding and support by public resources under a procedure established by law;
9. hold the rights of advertising, TV and radio broadcasting of sporting events organised by them following a procedure determined by the respective sports federation;
10. construct, acquire, use and manage sports facilities;
11. carry out other activities as well related to the development, awareness raising and promotion of physical activity, physical education and sports.

(2) A sports club that is not a member of a licensed sports federation and has not been entered in the register referred to in Article 9, Paragraph 1, Item 1 shall not carry out the activities under Paragraph 1, Items 4 – 9, except in the case under Article 25, Paragraph 3.

## **Section III**

### **Sports Federations**

**Article 18.** (1) Sports federations shall be non-profit associations operating in the public interest that have been granted a sports licence for one or more similar sports, including military-applied sports, or a sports licence for the development of more than one sport according to one unifying principle. Only sports clubs may be members of sports federations.

(2) Sports federations shall be:

1. federations in one or similar types of sport, including sports federations for military-applied sports included in the list under Article 8, Item 11;
2. multisport federations for the development of more than one sport according to one unifying principle.

(3) Sports federations shall represent its members before state bodies and international sports organisations.

(4) Sports federations may associate for the purpose of mutual assistance and development of joint activities in the field of physical activity, physical education, sport, and sports and tourism activities.

**Article 19.** (1) A sports licence shall be issued to:

1. a single sports federation under Article 18, Paragraph 2, Item 1;
  2. a single multisport federation under Article 18, Paragraph 2, Item 2;
- (2) The sports licence shall be without term.

**Article 20.** A sports licence shall be issued to a sports federation in case it meets the following requirements:

1. it has been entered in the register of non-profit legal entities operating in the public interest;
2. it has not been declared insolvent or it is not undergoing insolvency or liquidation proceedings;
3. it has neither state or municipal public debts subject to coercive enforcement nor arrears to the Ministry of Youth and Sports unless rescheduling or deferral of obligations has been allowed;
4. its main operation, as defined in its statutes, include practices related to physical activity, physical education, a type or types of sport;
5. it has as its members not less than 7 sports clubs with seats in at least three administrative districts in the country that meet the requirements under Article 15;
6. its members or it has signed contracts with coaching staff that meets the requirements of the ordinance referred to in Article 97, Paragraph 6;
7. it has adopted a 4-year programme for the development of the respective type of sport, which is in compliance with the National Programme referred to in Article 7, Item 2;
8. it has adopted an annual sports calendar for the conduct of competitions and a state sports calendar and rules for its implementation;
9. its members or it has at its disposal sports facilities within the territory of the country for the development of training and competition activities regarding the relevant type of sport;
10. it has adopted rules concerning the status of amateur and professional athletes for the acquisition, termination and withdrawal of their competition rights, as regards only federations in one or similar types of sport;
11. it has adopted at its general meeting the budget for the relevant calendar year;
12. it has adopted rules for carrying out sporting activities that are in accordance with the rules, if any, of the international sports organisation.

**Article 21.** (1) To be granted a sports licence, the sports federation shall submit an application in the standard form. In the application, it shall indicate information on the applicant enclosing thereto:

1. minutes of incorporation meeting;
2. statutes;
3. a description of the activities according to the type or similar types of sport for which a sports licence is required, and for multisport federations according to a unifying principle - an indication as well of the relevant unifying principle;
4. information in the standard form about the international sports organisation, if any;
5. rules for carrying out sporting activities that are in accordance with the rules, if any, of the international sports organisation referred to in Item 4;
6. (supplemented, SG No. 64/2019, effective 1.03.2020) an application for membership or a document certifying membership, if any, in an international sports organisation referred to in Item 4, or rights to organise sports activities in the respective sport, if any, granted by a member of an international sports organisation in accordance with its statutes;
7. a list in the standard form of the sports clubs that are members of the applicant indicating the unique identification code, and the instruments on their admission as members;
8. a declaration in the standard form of conformity of the applicant's members with the requirements under Article 15;

9. a list in the standard form and evidence of the education, professional competence, qualification and experience of the persons who are to carry out the instruction, the training and the competition activities at the applicant's members, as well as the contracts with these persons;
  10. the programme referred to in Article 20, Item 7 and the act to adopt it;
  11. rules for the conduct of competitions scheduled in the state sports calendar and the act to adopt them;
  12. an annual sports calendar for the conduct of competitions and the act to adopt it;
  13. rules concerning the status of amateur and professional athletes for the acquisition, termination and withdrawal of athletes' competition rights, and the act to adopt them, as regards only federations operating in one or similar types of sport;
  14. a list in the standard form of the sports facilities referred to in Article 20, Item 9 with enclosed ownership documents, contracts for use or rent, or preliminary contracts for the conclusion of a final contract upon issuance of a sports licence;
  15. budget of the association and the act to adopt it.
- (2) The standard forms referred to in Paragraph (1) shall be approved by an order of the Minister of Youth and Sports and shall be published on the website of the Ministry of Youth and Sports.
- (3) The documents referred to in Paragraph (1) shall be submitted in the original or in copies certified by the applicant. The documents referred to in Paragraph 1, Items 7, 9, 10 and 12 shall be submitted electronically as well.
- (4) The application and the documents enclosed thereto shall be presented in the Bulgarian language. The documents in a foreign language shall be provided together with an accurate translation into Bulgarian.
- (5) The application and the documents enclosed thereto may also be submitted electronically according to the terms and procedure set in the Electronic Document and Electronic Trust Services Act and the Electronic Government Act.

**Article 22.** (1) The Minister of Youth and Sports or an official empowered thereby shall pronounce on the application and the enclosed documents referred to Article 21, Paragraph 1 by a motivated order within 4 months after the application has been filed.

(2) In case omissions or discrepancies have been established, the applicant shall be notified at an address specified in the application form to eliminate the omissions or discrepancies within 14 days of the notification. The time limit referred to in Paragraph (1) shall be interrupted until the omissions or discrepancies have been eliminated, or until the term referred to in the first sentence expires. The notification may also be made electronically if the applicant has indicated that he wishes to receive such communications.

(3) When, in the course of considering an application for the issuance of a sports licence for one or more similar sports, or according to one unifying principle, one or more applications by other applicants for the same sport or unifying principle are received, all applications shall be considered simultaneously.

(4) (Amended, SG No. 64/2019, effective 1.03.2020) Where the applications referred to in Paragraph (3) meet the requirements of this Act, selection shall be made by assessing the capacities of applicants for development and administration of the respective sport based on the number of member sports clubs, coaches, sports facilities or membership in an international sports organisation or rights to organise sports activities in the respective sport granted by a member of an international sports organisation in accordance with its statutes.

(5) Paragraph (2) shall not apply when two or more applications for the issuance of a sports licence have been received and at least one of them meets the requirements of this Act.



(6) The Minister of Youth and Sports or an official empowered thereby may request additional information and opinions by state bodies, external experts and organisations on the documents and information provided by the applicant.

(7) The Minister of Youth and Sports or an official empowered thereby shall issue a sports licence when there are no grounds for refusal and shall enter the sports federation and the sports clubs that are members thereof in the register referred to in Article 9, Paragraph 1, Item 1.

**Article 23.** (1) The Minister of Youth and Sports or an official empowered thereby shall, by a motivated order, refuse to grant a sports licence in case:

1. a sports licence for the activities for which the candidate applies has been granted to another sports federation under Article 18, Paragraph 2, Item 1 or a sports licence according to a unifying principle has been granted to another multisport federation under Article 18, Paragraph 2, Item 2;
2. the applicant does not meet the requirements of this Act and the omissions or discrepancies have not been eliminated within the term set in Article 22, Paragraph 2;
3. the applicant has provided false data or documents of untrue content.

(2) The applicant may submit a new sports licence application no earlier than 12 months from the entry into force of the order under Paragraph (1).

**Article 24.** (1) The Minister of Youth and Sports or an official empowered thereby shall, by a motivated order, withdraw the sports licence in case the sports federation:

1. does not meet the requirements under Article 20;
2. has provided false data or documents containing false information which have served as grounds for the issuance of the sports licence;
3. has tolerated the perpetration of systematic violations of the anti-doping rules referred to in Article 90, Paragraph 4;
4. has committed or tolerated the perpetration of systematic violations of this Act or of the instruments on its implementation other than those referred to in Paragraph (3);
5. does not initiate activities according to the programme referred to in Article 20, Item 7 within 6 months as from the issuance of the sports licence;
6. does not submit within 6 months after the issuance of the sports licence a final contract under Article 21, Paragraph 1, Item 14;
7. is in arrears related to the use of sports facilities owned by commercial companies with a 50- percent or more than 50-percent state or municipal share in the capital stock;
8. has spent unlawfully or inexpediently the funds provided according to the procedure laid down in his Act;
9. has not provided in time the documents referred to in Article 30, Paragraph 2, or the submitted documents do not meet the requirements of this Act;
10. has not adopted a state sports calendar for the respective year or has not fulfilled the calendar adopted for the preceding year;
11. has not complied with an effective coercive administrative measure;
12. (supplemented, SG No. 64/2019, effective 1.03.2020) has been deprived of its membership of the relevant international sports organisation, or its membership therein has been terminated, by an effective act of this organisation, or has been deprived by a member of an international sports organisation of its rights to organise sports activities in the respective sport.

(2) In the cases referred to in Paragraph 1, Items 5 – 11, the Minister of Youth and Sports or an official empowered thereby shall withdraw the sports licence if the sports federation fails to discharge its obligations within two months after the failure to perform has been established.

(3) The Minister of Youth and Sports or an official empowered thereby shall, by a motivated order, terminate the sports licence:

1. upon written application filed by the sports federation;
2. upon deletion of the registration of the legal entity.

**Article 25.** (1) Upon withdrawal or termination of the sports licence, the sports federation shall be deleted from the register referred to in Article 9, Paragraph 1, Item 1.

(2) In the cases referred to in Paragraph (1), the sports federation shall refund to the Ministry of Youth and Sport the resources allocated to it for the purchase of tangible fixed assets or the fixed assets themselves for the last two years before the withdrawal or termination of the licence.

(3) (Amended, SG No. 96/2020, effective 10.11.2020) A sports club that is a member of a federation whose licence has been withdrawn or terminated may carry out the activities under Article 17, Paragraph 1 until the issuance of a license by the respective sport federation, for a period of up to 6 months from the date of the termination or withdrawal order. Upon expiry of the term under the first sentence, the sports club shall be deleted from the register referred to in Article 9, Paragraph 1, Item 1.

**Article 26.** (1) The procedure for issuing, refusing, withdrawing and terminating a sports licence shall be laid down in the Rules for the Application of this Act.

(2) The order of the Minister of Youth and Sports, or of the official empowered thereby, referred to in Article 22, Paragraph 1, Article 23, Paragraph 1, and Article 24 shall be subject to appeal before the competent administrative court according to the terms of the Code of Administrative Procedure.

(3) The appeal of the order under Paragraph (2) shall not suspend its enforcement.

**Article 27.** (1) A licensed sports federation shall:

1. perform administrative functions related to the regulation of the respective type or similar types of sport, and respectively, of the sporting activities according to a unifying principle;
2. alone or jointly with the Bulgarian Olympic Committee, represent the country at international competitions;
3. develop and apply methodological and administrative rules to the relevant sport or similar sports;
4. organise and conduct championships and competitions in one or more similar sports, or in more than one sport practised according to a unifying principle, and shall determine ranking in them;
5. approve the organisation of sports competitions and events fixed in the state sports calendar;
6. determine the composition of and shall organise the training of the national teams for the respective sport;
7. (amended and supplemented, SG No. 96/2020, effective 1.01.2021) follow the anti-doping rules, put into effect the disciplinary actions imposed on athletes, coaches, officials and other persons who have tolerated violations of anti-doping rules;
8. manage and dispose of sports facilities, including repairing and renovating them, in conformity with the effective legislation;
9. render sports services;
10. grant awards and honorary titles to athletes, coaches and public figures in sport;
11. make up files on the activities of the sports clubs that are members thereof;
12. prepare, present and report the implementation of the programmes referred to in this Act;
13. exert control under this Act; notify the Minister of Youth and Sports upon established violations.

(2) A licensed sports federation may also:

1. create conditions for the adapted physical activity and the practice of sports by people with disabilities with the purpose of improving the quality of life;
2. grant, terminate and withdraw the athletes' competition rights;
3. keep a register of transfers;

4. keep a register of the agents referred to in Article 81, Paragraph 1;
  5. administer justice in the field of sport through a system of committees and sports arbitration conducted by an arbitration body;
  6. prepare referees and specialised technical and administrative personnel within the relevant sport by organising training courses and seminars;
  7. establish subsidiary bodies, i.e. a coaching council, a sports-referee panel, a disciplinary commission, a financial committee, a unit for academic and applied research, within the respective sport;
  8. hold the exclusive rights of advertising, TV and radio broadcasting of all sporting events organised by it affording the sports clubs participating in the competition a percentage of the proceeds on a contractual basis.
- (3) When carrying out its activities under Paragraphs (1) and (2), the sports federation shall:
1. promote sport ideals and fair play rules by introducing public and educational measures;
  2. promote and uphold an active and healthy lifestyle;
  3. assert the principle of mutual respect among athletes, among spectators, and between athletes and spectators;
  4. develop children's and adolescent sport;
  5. prevent antisocial behaviour during sporting events;
  6. prevent violations of anti-doping rules.
- (4) Within three months after obtaining the sports licence, the sports federation shall create and maintain a website for the promotion of its activities.

**Article 28.** (1) A sports federation shall carry out its activities on the basis of the following instruments it has adopted:

1. a unified system of criteria for organising, managing and supervising the multiannual educational, training, and competition process within the relevant type of sport;
  2. rules for the conduct of competitions fixed in the state sports calendar and of other competitions within the relevant type of sport;
  3. rules for the terms and procedure for card-filing, unless it is a multisport federation;
  4. rules for the status of amateur and professional athletes, and for the acquisition, termination and withdrawal of competition rights, unless it is a multisport federation;
  5. rules for the terms and procedure for the transfer and remise of competition rights to amateur and professional athletes;
  6. rules for the activities of those performing agency for the acquisition, modification, transfer or termination of competition rights, or for concluding, amending or terminating a contract with a coach, unless it is a multisport federation;
  7. rules for obligatory amateur and professional athlete insurance according to the type of sport;
  8. rules for the administration of sports justice and arbitration, unless it is a multisport federation;
  9. rules for the activities of the subsidiary bodies referred to in Article 27, Paragraph 2, Item 7;
  10. programmes for the development of the relevant types of sport which shall be drawn up for a period of 4 years and shall be in accordance with the national programme referred to in Article 7, Item 2;
  11. rules for granting awards and honorary titles to athletes, coaches and public figures in sport;
  12. rules for the management and conduct of state championships by professional leagues;
  13. an annual state sports calendar for the conduct of competitions;
  14. other instruments regulating its activities.
- (2) The instruments referred to in Paragraph (1) shall be published on the website of the relevant sports federation and shall be presented to the Ministry of Youth and Sports within 14 days after they have been adopted. The rules shall be presented along with the instruments whereby they have been adopted.

**Article 29.** (1) The sports federation may assign the management of competitions fixed in the state sports calendar to a professional league pursuant to the terms and procedure set by the rules under Article 28, Paragraph 1, Item 12.

(2) A professional league shall be:

1. a subsidiary body of the sports federation, or
2. a non-profit association or a capital commercial company.

(3) Members, partners or shareholders in the legal entities referred to in Paragraph 2, Item 2 shall be the sports clubs that are members of the sports federation in question and that participate in the respective championship.

(4) Having set up a professional league, the sports federation may require that only professional athletes participate in national championships.

(5) Only one professional league shall be established for each sport.

**Article 30.** (1) Until 31 March of the year in which the 4-year term of the programme referred to in Article 28, Paragraph 1, Item 10 expires, the sports federation shall submit to the Minister of Youth and Sports a report on its implementation, as well as a new 4-year programme, adopted at its general meeting.

(2) By 31 March each year, the sports federation shall submit to the Minister of Youth and Sports:

1. a report about the implementation of the programme referred in Paragraph (1) for the preceding year;
2. a financial statement for the preceding year and a budget of the sports federation adopted for the current year;
3. an update, if any, of the programme referred in Paragraph (1).

(3) The documents referred to in Paragraphs (1) and (2) shall be submitted in hard copy and electronically in a standard form approved by the Minister of Youth and Sports.

(4) The documents referred to in Paragraphs (1) and (2) shall be published on the website of the respective sports federation.

(5) Upon written request made by the Minister of Youth and Sports, the sports federation shall provide information related to its activities.

## **Chapter Four**

### **OTHER ORGANISATIONS IN THE FIELD OF SPORT**

#### **Section I**

### **The Bulgarian Olympic Committee and the National Paralympic Organisation**

**Article 31.** (1) The Bulgarian Olympic Committee shall be a non-profit association for the development of the Olympic Movement, the dissemination of the Olympic ideas in the country, and athletes' participation in Olympic Games.

(2) The Bulgarian Olympic Committee shall perform its activities in conformity with the effective legislation and the Olympic Charter of the International Olympic Committee.

(3) The Olympic symbols and signs may be used only upon permission given by the Bulgarian Olympic Committee.

(4) The Bulgarian Olympic Committee shall represent the State and the Bulgarian sports organisations before the International Olympic Committee on matters related to the organisation and conduct of Olympic Games.

(5) (Supplemented, SG No. 96/2020, effective 1.01.2021) With the Bulgarian Olympic Committee, objective and independent bodies in the field of sport shall be set up:

1. (supplemented, SG No. 96/2020, effective 1.01.2021) a disciplinary commission which shall function as a first instance in proceedings for establishing anti-doping rules violations, and for stipulating and imposing disciplinary actions thereof;

2. (supplemented, SG No. 96/2020, effective 1.01.2021) a Bulgarian Sports Arbitration which shall function impartially as an appellate instance in proceedings for establishing anti-doping rules violations, and for stipulating and imposing disciplinary actions thereof.

**Article 32.** (1) The National Paralympic Organisation shall be a non-profit association operating in the public interest and meeting the membership requirements laid down in the statutes of the International Paralympic Committee.

(2) The National Paralympic Organisation shall develop the Paralympic Movement, shall disseminate the Paralympic ideas in the country, and shall organise and coordinate athletes' participation in the Paralympic Games.

(3) The National Paralympic Organisation shall perform its activities in conformity with the effective legislation and the statutes of the International Paralympic Committee.

(4) The Paralympic symbols and signs may be used only upon permission given by the National Paralympic Organisation.

(5) The National Paralympic Organisation shall represent the State and the Bulgarian sports organisations before the International Paralympic Committee on matters related to the organisation and conduct of the Paralympic Games and all events organised by or with the participation of the International Paralympic Committee.

## Section II

### National Organisation for Sports and Tourism Activities

**Article 33.** (1) The National Organisation for Sports and Tourism Activities shall be a non-profit association which operates in the public interest, develops and popularises sports and tourism activities, and interacts with the competent state bodies, municipalities and international sports and tourism organisations in the course of formulating, carrying out and implementing the state policy in this field.

(2) Members of the National Organisation for Sports and Tourism Activities shall be tourist associations referred to in Article 38, Paragraph 1.

(3) The procedure for the entry or deletion of the National Organisation for Sports and Tourism Activities and of its members from the register referred to in Article 9, Paragraph 1, Item 2 shall be laid down in the Rules for the Application of this Act.

(4) Only one National Organisation for Sports and Tourism Activities shall be entered in the register under Article 9, Paragraph 1, Item 2.

**Article 34.** (1) The Minister of Youth and Sports or an official empowered thereby shall enter the National Organisation for Sports and Tourism Activities in the register under Article 9, Paragraph 1, Item 2 by an order provided that it meets the requirements under Article 20, Items 1 – 3 and that it has adopted:

1. a 4-year programme for the development of sports and tourism activities in compliance with the National Programme referred to in Article 7, Item 2;
  2. an annual calendar of sports and tourism events.
- (2) To be entered in the register, the National Organisation for Sports and Tourism Activities shall submit an application in the standard form approved by the Minister of Youth and Sports indicating information on the applicant and enclosing thereto:
1. the documents referred to in Article 21, Paragraph 1, Items 1 and 2;
  2. an application for membership or a document certifying membership, if any, in an international organisation, as well as the rules for its activities;
  3. a programme for the development of the sports and tourism activities referred to in Paragraph 1, Item 1 and the act to adopt it;
  4. an annual calendar under Paragraph 1, Item 2 and the act to adopt it;
  5. a list of the members indicating their unique identification code and the instruments on their admission.
- (3) The documents referred to in Paragraph (2) shall be submitted in the original or in a copy certified by the applicant. The documents referred to in Paragraph 2, Items 4 and 5 shall be submitted electronically as well.
- (4) The application and the documents enclosed thereto shall be presented in the Bulgarian language. The documents in a foreign language shall be provided together with an accurate translation into Bulgarian.
- (5) The application and the documents enclosed thereto may also be submitted electronically according to the terms and procedure set in the Electronic Document and Electronic Trust Services Act and the Electronic Government Act.
- (6) The National Organisation for Sports and Tourism Activities and its members shall acquire the right to perform the activities envisaged in Articles 36 and 38 upon entry in the register under Article 9, Paragraph 1, Item 2.

**Article 35.** (1) The Minister of Youth and Sports or an official empowered thereby shall delete the National Organisation for Sports and Tourism Activities from the register under Article 9, Paragraph 1, Item 2 by a motivated order in case the organisation:

1. has ceased to satisfy the requirements under Article 34, Paragraph 1;
2. has not presented an up-to-date programme under Article 34, Paragraph 1, Item 1 within the term set in Article 37, Paragraph 1;
3. does not carry out the activities under Article 36;
4. has provided false data or documents of untrue content, on the basis of which entry into the register has been made;
5. has members not meeting the requirements of this Act.

(2) In the cases referred to in Paragraph (1), the Minister of Youth and Sports or an official empowered thereby shall delete the National Organisation for Sports and Tourism Activities and its members from the register under Article 9, Paragraph 1, Item 2 in case the organisation fails to discharge its obligations within two months after the failure to perform has been established.

(3) The order referred to in Paragraph (1) shall be subject to appeal before the competent administrative court according to the procedure stipulated in the Code of Administrative Procedure.

**Article 36.** (1) The National Organisation for Sports and Tourism Activities, in conformity with its statutes, shall:

1. represent and protect the interests of its members before the competent state and local authorities and before international sports organisations;

2. participate in the elaboration of strategies and programmes for the development of sports and tourism activities and shall facilitate their implementation;
3. construct, maintain and use facilities for sports and tourism activities;
4. facilitate the advertisement of tourist products;
5. facilitate the establishment and operation of tourist information centres or offices;
6. facilitate the continuing vocational qualification of the personnel for sports and tourism activities.

(2) The National Organisation for Sports and Tourism Activities shall take part in the National Tourist Board referred to Article 7, Paragraph 1 of the Tourism Act.

**Article 37.** (1) Until 31 March of the year in which the 4-year term of the programme referred to in Article 34, Paragraph 1, Item 1 expires, the National Organisation for Sports and Tourism Activities shall submit to the Minister of Youth and Sports a report on its implementation, a new 4-year programme, and the instruments whereby they were adopted.

(2) The National Organisation for Sports and Tourism Activities shall inform the Ministry of Youth and Sports about the admission or expulsion of a member tourist association within three days as from the date of the respective decision.

**Article 38.** (1) A tourist association shall be a non-profit association operating in the public interest for the development and promotion of sports and tourism activities.

(2) The tourist association shall perform and administrate sports and tourism activities by:

1. organising sports and tourism events;
2. managing sports and tourism establishments – tourist chalets, tourist training centres and tourist dormitories, and by providing services to citizens;
3. constructing, maintaining and renovating tourist shelters, tourist paths and trails, as well as their marking;
4. promoting ecotourism and contributing to environment protection.

## **Section III**

### **National Organisation for University Sports**

**Article 39.** (1) The National Organisation for University Sports shall be a non-profit association operating in the public interest for the development and promotion of sport at higher education institutions.

(2) Members of the National Organisation for University Sports shall be the sports clubs referred to in Article 43, Paragraph 1.

(3) The procedure for the entry or deletion of the National Organisation for University Sports and of its members from the register referred to in Article 9, Paragraph 1, Item 2 shall be laid down in the rules for the application of this Act.

(4) Only one National Organisation for University Sports shall be entered in the register under Article 9, Paragraph 1, Item 2.

**Article 40.** (1) The Minister of Youth and Sports or an official empowered thereby shall enter the National Organisation for University Sports in the register under Article 9, Paragraph 1, Item 2 by an order provided that it meets the requirements under Article 20, Items 1 – 3 and that it has adopted:

1. a 4-year programme for the development of sport at higher education institutions in compliance with the National Programme referred to in Article 7, Item 2;
2. an annual sports calendar for student competitions and rules for their conduct.

(2) To be entered in the register under Article 9, Paragraph 1, Item 2, the association referred to in Paragraph (1) shall submit an application in the standard form approved by the Minister of Youth and Sports indicating information on the applicant and enclosing thereto:

1. the documents under Article 21, Paragraph 1, Items 1, 2, 4, 5, 6 and 15;
2. a programme for the development of sport at higher education institutions as referred to in Paragraph 1, Item 1 and the act to adopt it;
3. an annual sports calendar under Paragraph 1, Item 2 and the act to adopt it;
4. a list of the members and the instruments on their admission.

(3) The documents referred to in Paragraph (2) shall be submitted in the original or in a copy certified by the applicant. The documents referred to in Paragraph 2, Items 3 and 4 shall be submitted electronically as well.

(4) The application and the attachments thereto shall be presented in the Bulgarian language. The documents in a foreign language shall be provided together with an accurate translation into Bulgarian.

(5) The application and the documents enclosed thereto may also be submitted electronically according to the terms and procedure set in the Electronic Document and Electronic Trust Services Act and the Electronic Government Act.

(6) The National Organisation for University Sports shall acquire the right to perform the activities envisaged in Article 42 upon entry in the register under Article 9, Paragraph 1, Item 2.

**Article 41.** (1) The Minister of Youth and Sports or an official empowered thereby shall delete the National Organisation for University Sports from the register under Article 9, Paragraph 1, Item 2 by a motivated order in case the organisation:

1. has ceased to satisfy the requirements under Article 40, Paragraph 1;
2. has not presented an up-to-date programme under Article 40, Paragraph 1, Item 1 within the term set in Article 42, Paragraph 2;
3. does not carry out the activities under Article 42;
4. has provided false data or documents of untrue content, on the basis of which entry into the register has been made;
5. has members not meeting the requirements of this Act.

(2) In the cases referred to in Paragraph (1), the Minister of Youth and Sports or an official empowered thereby shall delete the National Organisation for University Sports from the register under Article 9, Paragraph 1, Item 2 in case the organisation fails to discharge its obligations within two months after the failure to perform has been established.

(3) The order referred to in Paragraph (1) shall be subject to appeal before the competent administrative court according to the procedure stipulated in the Code of Administrative Procedure.

**Article 42.** (1) The National Organisation for University Sports shall:

1. launch initiatives for the development and endorsement of sport at higher education institutions;
2. make the organisation's activities popular and arouse interest in sport among students;
3. conduct, according to the state sports calendar, all-student championships, games and national student championships;
4. represent and endorse Bulgarian student sport before the international sports organisations in this field;
5. provide assistance with the improvement of the system of training in physical education and sports at higher education institutions.

(2) Until 31 March of the year in which the 4-year term of the programme referred to in Article 40, Paragraph 1, Item 1, the National Organisation for University Sports shall submit to the Minister of



Youth and Sports a report on its implementation, a new 4-year programme, and the instruments whereby they were adopted.

(3) The National Organisation for University Sports shall inform the Ministry of Youth and Sports about the admission or expulsion of a member sports club within three days as from the date of the respective decision.

**Article 43.** (1) A sports club at a higher education institution shall be:

1. a sports club operating in one or similar types of sport and/or a multisport club established by a decision of the Academic Council under Article 30, Paragraph 1, Item 15a of the Higher Education Act pursuant to the terms and procedure laid down in the rules of the respective higher education institution; the name of the club shall indicate the name and type of the higher school according to its foundation or reorganisation act;

2. a sports club under Article 12, Paragraph 2, Item 1; by permission of the Rector, the name of the student sports club may indicate the name and type of the higher school according to its foundation or reorganisation act;

(2) Students, lecturers and employees of the respective higher education institution shall be members of the sports club referred to in Paragraph 1, Item 2.

(3) The sports club referred to in Paragraph 1, Item 1 shall participate only in sports competitions organised by the National Organisation for University Sports.

(4) The sports club referred to in Paragraph 1, Item 2 may also be a member of a sports federation in a certain type of sport.

(5) The sports clubs referred to in Paragraph 1, Item 1 shall be financed by the higher education institution. The sports clubs referred to in Paragraph 1, Item 2 may be financed and supported by the Ministry of Education and Science in compliance with the state aid rules.

## **Section IV**

### **United Sports Clubs**

**Article 44.** (1) A united sports club shall be an association of non-profit sports clubs operating in the public interest for the use and management of sports facilities.

(2) Within two months after its establishment, the united sports club shall submit an application for its entry in the register referred to in Article 9, Paragraph 1, Item 2. The application may also be submitted electronically according to the terms and procedure set in the Electronic Document and Electronic Trust Services Act and the Electronic Government Act.

(3) The united sports club shall be entered and deleted from the register referred to in Article 9, Paragraph 1, Item 2 by an order of the Minister of Youth and Sports or an official empowered thereby. The procedure for entry or deletion from the register referred to in Article 9, Paragraph 1, Item 2 shall be stipulated in the Rules for the Application of this Act.

(4) The united sports club shall initiate activities only upon its entry in the register referred to in Article 9, Paragraph 1, Item 2.

(5) The united sports club shall not be a member of a sports federation.

**Article 45.** (1) The right of association referred to in Article 44, Paragraph 1 shall be enjoyed only by sports clubs that are members of a sports federation and have been entered in the register under Article 9, Paragraph 1, Item 1.

(2) A united sports club shall be established by not less than three sports clubs with a seat within the territory of one administrative district.

(3) The name of the club shall include the words "united sports club".

(4) The united sports club shall not carry out the activities referred to in Article 17, Paragraph 1, Items 1 – 9 and Item 11.

**Article 46.** (1) Sports facilities constituting state and municipal property that have been granted to a united sports club pursuant to the procedure laid down in this Act shall be used by the club's members.

(2) The rights of the members of a united sports club to use sports facilities constituting state and municipal property shall be terminated as from the day of deleting the respective member from the register under Article 9, Paragraph 1, Item 2.

(3) Upon deletion of a united sports club from the register under Article 9, Paragraph 1, Item 2, the contracts whereby sports facilities referred to in Paragraph (1) have been granted shall be terminated with a month's written notice.

## **Chapter Five**

# **POLICY IN THE FIELD OF SPORT FOR ALL**

## **Section I**

### **Sport for All Promotion**

**Article 47.** (1) State and local authorities shall develop and implement policies to promote sport for all through a cross-sectoral approach covering areas such as health, education, environment, transport and others.

(2) Promoting sport for all shall be accomplished by:

1. supporting non-profit activities of sports organisations;
2. supporting economic activities in compliance with state aid rules;
3. creating conditions for adapted physical activity and the practice of sports by people with disabilities with the purpose of improving their quality of life.

(3) Supporting the activities of the National Organisation for Sports and Tourism Activities, including through the construction of infrastructure for sports and tourism activities, shall be carried out pursuant to Article 21 of the Public Finance Act.

**Article 48.** (1) Employers and appointing bodies shall create and secure conditions for carrying out sporting activities and for active recreation of their workers and employees.

(2) In collective employment contracts, employers shall also provide for financial support for sport practices and active recreation of workers and employees.

## **Section II**

### **Sports and Tourism Activities**

**Article 49.** (1) sports and tourism activities shall be carried out by citizens either individually or by participation in tourist associations in compliance with the effective legislation.

(2) The organisation of tourist events and the provision of services related thereto shall also be performed by other parties in compliance with the applicable legislation.

(3) Tourist associations may band together on a territorial basis.

**Article 50.** (1) When carrying out sports and tourism activities, the parties referred to in Article 49, Paragraphs (1) and (2) shall interact with the competent state and local authorities, public organisations, and the structures and services of the Bulgarian Red Cross.

(2) The competent state and local authorities shall assist tourist associations and the National Organisation for Sports and Tourism Activities with the accomplishment of their goals and with the development of sports and tourism activities, including by constructing appropriate infrastructure.

### **Section III**

## **Physical Activity, Physical Education, Sport, and Sports and Tourism Activities in the Pre-school and School Education System**

**Article 51.** (1) Within the pre-school and school education system, conditions for physical exercises, adapted physical exercises and sports shall be created.

(2) Within the school education system, conditions shall also be created for the continuation of sports classes after completing the obligatory training in physical education and sports.

(3) The organisation and conduct of sporting activities for pupils in addition to the curriculum shall be carried out by pedagogical specialists having the professional qualification of "a teacher of physical education and sports" or "a coach" by sport type.

(4) Within the school education system, conditions for preventing the use of prohibited substances and prohibited methods in sport shall also be created.

**Article 52.** (1) State educational standards and curricula related to physical education and sports shall be elaborated and approved in accordance with the Pre-school and School Education Act.

(2) Upon completion of the VIIth grade, pupils practising one or different types of sport may be organised in classes pursuant to the procedure laid down in the Pre-school and School Education Act.

**Article 53.** (1) During teacher's classes, information on the prevention of the use of prohibited substances and prohibited methods in sport may be provided.

(2) Schools and centres for personal development support shall interact with the Anti-Doping Centre to obtain information on prohibited substances and prohibited methods in sport.

**Article 54.** Upon proposal made by the Minister of Youth and Sports and upon permission given by the Minister of Education and Science, medallists from European, world and Olympic sports competitions may be admitted to schools after completing the VIIth grade regardless of the results of the national external evaluation and in addition to the approved admission plan pursuant to the procedure laid down in the Pre-school and School Education Act.

**Article 55.** (1) Schools and centres for personal development support shall provide conditions for sporting activities of children and pupils in addition to the curriculum.

(2) The sporting activities referred to in Paragraph (1) shall be organised by sports federations and their members, schools and centres for personal development support.

(3) The terms and procedure for organising and conducting training and competitions for children and pupils in addition to the curriculum shall be determined by an ordinance of the Minister of Education and Science and the Minister of Youth and Sports.

**Article 56.** (1) A school sports team shall be organised by sport type and shall be composed of pupils of similar age and grade and a teacher of physical education and sports at the respective school, and/or a coach by sport type upon approval by the principal.

(2) The school sports team shall interact with the centres for personal development support, licensed sports federations and tourist associations through the agency of the school principal.

## **Section IV**

### **Physical Activity, Physical Education and Sports at Higher Education Institutions**

**Article 57.** (1) Physical activity, physical education and sports at higher education institutions shall be part of the education of students in the form of obligatory and optional classes with a minimum number of 60 obligatory classes per year for students who study for the award of the educational and qualification degree "Bachelor" or the educational and qualification degree "Master".

(2) The system to assess and verify skills in physical activity, physical education and sports shall be determined by higher schools pursuant to the Higher Education Act.

(3) At higher education institutions, conditions for preventing the use of prohibited substances and prohibited methods in sport shall also be created.

**Article 58.** (1) Higher schools shall ensure possibilities for to combine the training and competition activities of outstanding athlete students with the requirements of the academic process.

(2) Training and competition activities shall be carried out by sports clubs at the higher education institutions.

**Article 59.** Higher schools may provide special scholarships to outstanding athlete students.

**Article 60.** The Ministry of Youth and Sports, the Ministry of Education and Science, and higher education institutions shall facilitate the organisation and conduct of regional and national student championships.

## **Section V**

### **Physical Activity, Physical Education and Sports in the Armed Forces, the Ministry of Interior and the National Service for Protection**

**Article 61.** (1) Physical activity, physical education and sports in the Armed Forces, the Ministry of the Interior and the National Service for Protection shall be a compulsory element of the combat and professional training and the motor regime of servicemen, civil servants under Article 142, Paragraph 1, Item 1 of the Ministry of the Interior Act, and of officers and sergeants at the National Service for Protection.

(2) Physical exercises and sport shall be performed according to programmes approved by the Minister of Defence, the Minister of Interior, and the head of the National Service for Protection.

**Article 62.** (1) Servicemen and civil servants in the Armed Forces, employees of the Ministry of Interior and of the National Service for Protection may be members of sports clubs.

(2) Multisport clubs may be set up at the Ministry of Defence, the Ministry of Interior and the National Service for protection in compliance with the requirements of this Act and under the procedure established by the respective head.

(3) The multisport clubs referred to in Paragraph (2) may associate and may be members of multisport federations under the conditions of this Act and upon permission given by the Minister of Defence, and respectively, by the Minister of Interior, and by the Head of the National Service for Protection.

(4) The multisport club referred to in Paragraph (2) may include in its name concepts related to the activities of the respective department only upon permission given by the head of the department.

(5) The multisport club referred to in Paragraph (2) may also be a member of a sports federation operating in military-applied sports or in other sport type related to enhancing and improving the combat and professional training of the persons referred to in Paragraph (1).

**Article 63.** (1) The Minister of Defence, and respectively, the Minister the of Interior, or the Head of the National Service for Protection shall determine the procedure for organising and conducting training and competition activities of servicemen and civil servants of the Ministry of the Interior and in the Armed Forces, and respectively, of employees of the Ministry of the Interior and of the National Service for Protection.

(2) The multisport federation referred to in Article 62, Paragraph 3 and sports federations in military-applied sports may conduct joint sports training.

**Article 64.** (1) The Minister of Defence, and respectively, the Minister of Interior, or the Head of the National Service for Protection, may establish specialised structures for training and competition activities.

(2) The athletes included in the specialised structures referred to in Paragraph (1) shall be nominated by sports federations and may retain their club membership registered prior to their inclusion therein.

## Chapter Six

# POLICY IN THE FIELD OF HIGH-PERFORMANCE SPORT

## Section I

### General Provisions

**Article 65.** (1) High-performance sport shall be managed by licensed sports federations and their members by carrying out their sporting activities with the participation of coaching staff and athletes.

(2) State and local authorities, within their competence, shall support the development of high-performance sport in the course of exercising their powers by law and in compliance with the rules governing state aid.

(3) The preparation and participation of the national teams of the Republic of Bulgaria in competitions shall be supported by the State through the Ministry of Youth and Sports.

(4) The persons referred to in Paragraph (1) and the bodies under Paragraph (2) shall create conditions for:

1. the training of athletes;
2. the analysis, evaluation and control of the training and participation of athletes in competitions;
3. the qualification of sport and training personnel and medical professionals;
4. the construction, maintenance and use of sports facilities;
5. discovering young talents;

6. organising groups of child and adolescent athletes and creating conditions for achieving top results when participating in high-ranking competitions.

**Article 66.** High-performance training and competition activities shall be carried out, under the guidance of coaching staff, by persons who have competition rights.

## Section II

### Amateur Athlete and Professional Athlete Competition Rights

**Article 67.** (1) The status of amateur athletes and of professional athletes shall be governed by the sports federation under the rules referred to in Article 28, Paragraph 1, Item 4.

(2) Amateur athletes and professional athletes shall carry out training and competition activities and shall enjoy other rights as well under the terms of this Act and under the terms and procedure laid down by the relevant sports federation.

**Article 68.** (1) Competition rights shall mean a combination of amateur athletes' and professional athletes' right to participate in the training and competition activities of a sports club that is a member of a licensed sports federation, as well as the economic and non-economic rights related thereto.

(2) The acquisition, termination and withdrawal of competition rights shall be laid down by the sports federation applying the rules referred to in Article 28, Paragraph 1, Item 4.

**Article 69.** (1) Card-filing shall be an act performed by the sports federation whereby amateur and professional athletes shall acquire the competition rights referred to in Article 68.

(2) The sports federation shall determine the terms and procedure for card-filing applying the rules referred to in Article 28, Paragraph 1, Item 3.

(3) The athletes referred to in Paragraph (1) shall be registered only with a sports club that is a member of a licensed sports federation.

(4) Card-filing shall be for a duration of one sporting and competition year.

(5) The athlete shall compete only on behalf of the club wherewith he/she has been registered.

**Article 70.** (1) The right to be registered shall be enjoyed by persons who are Bulgarian nationals, nationals of other Member States of the European Union and of parties to the Agreement on the European Economic Area, or of the Swiss Confederation, as well as foreigners having resided in the Republic of Bulgaria on a legal ground for a period of more than 6 months.

(2) Card-filing shall take place only upon written consent of the person referred to in Paragraph (1).

(3) A person under the age of 18 may be registered as an athlete in compliance with the Persons and Family Act.

**Article 71.** (1) Card-filing shall be carried out by a sports federation upon proposal by a sports club that is a member thereof, when the person wishing to be registered has:

1. submitted a written application to the sports club or has signed a contract with it for sports training and development – in the case of amateur athletes;

2. signed a contract for a remuneration with the sports club – in the case of professional athletes.

(2) The sports federation shall enter the person proposed under Paragraph (1) in the list of registered athletes and shall issue him/her an official document – a competition card. The card shall have a serial number and shall include the person's identity card or birth certificate information, as well as his/her current photo.

(3) Athletes shall certify their competition rights by their competition card.

**Article 72.** A person who has not signed a contract with a sports club and has not been registered may independently negotiate his/her terms with the sports club whereby he/she wishes to be registered.

**Article 73.** Amateur athletes' competition rights shall be exercised for the duration of registration, and professional athletes' rights – for the duration of contract, upon renewal of the card-filing for each sporting and competition year.

**Article 74.** The sports federation may deprive an athlete it has registered from competition rights for a fixed term or definitively in accordance with the rules of the respective sports federation envisaged in Article 28, Paragraph 1, Item 4.

**Article 75.** Competition rights shall be terminated upon:

1. expiry of the card-filing period;
2. mutual agreement of the amateur or professional athlete, and the sports club;
3. written request by the registered person who has not signed a contract for sports training and development;
4. termination of athlete's contract;
5. death or judicial disability of the amateur or professional athlete;
6. deletion of the sports club as a legal entity;
7. deletion of the sports club from the register referred to in Article 9, Paragraph 1, Item 1;
8. termination of the sports club membership of the sports federation;
9. initiation of insolvency or liquidation proceedings as regards the sports club.

## **Section III**

### **Contracts, Transfer, Remise and Agency**

**Article 76.** (1) Amateur athletes may sign a contract with a sports club for sports training and development. The contract shall be concluded in writing and shall at least state:

1. the term of the contract;
2. the amount of funds allocated by the sports club for the athletes' sports training and development;
3. the conditions for the athlete's obligatory insurance policies and medical insurance;
4. the terms and procedure for terminating the contract;
5. the damages due by the non-performing party to the contract.

(2) Persons under the age of 18 may sign a contract for sports training and development with a sports club in compliance the effective legislation.

(3) In case no contract for sports training and development has been concluded between the amateur athlete and the sports club, the amateur athlete shall be entitled to:

1. funds to cover the expenses incurred for participation in training and competition activities;
2. obligatory insurance policies and medical insurance necessary for the participation in training and competition activities;
3. receive awards for high sporting results.

**Article 77.** (1) Professional athletes shall perform training and competition activities by signing a contract against consideration with a sports club.

(2) The contract between the professional athlete and the sports club shall be concluded in writing and shall at least state:

1. the date of concluding the contract and the starting date of its performance;
2. the period of validity of the contract;

3. the remuneration amount and the periodicity of its payment, as well as the damages in case of delayed or unpaid remuneration;
  4. the rights and obligations of the parties;
  5. the conditions for the professional athletes' health and social insurance, as well as the obligatory insurance policies and medical insurance;
  6. the conditions for transfer or remise;
  7. the terms and procedure for terminating the contract.
  8. the damages due by the non-performing party to the contract;
  9. an arbitration clause.
- (3) Persons under the age of 18 may conclude the contract referred to in Paragraph (1) with a sports club abiding by the effective legislation.

**Article 78.** (1) Coaches, having the necessary qualifications, shall carry out training activities by signing a contract with a sports club or a licensed sports federation.

(2) The contract between a coach and a sports club, or a licensed sports federation, shall be concluded in writing and shall at least state:

1. the date of concluding the contract and the starting date of its performance;
2. the period of contract validity;
3. in case a remuneration has been negotiated – its amount and the periodicity of its payment, as well as the damages in case of delayed or unpaid remuneration;
4. the rights and obligations of the parties;
5. the conditions for the coach's health and social insurance;
6. the terms and procedure for terminating the contract.
7. the damages due by the non-performing party to the contract;
8. an arbitration clause.

**Article 79.** (1) By a contract against consideration, professional athletes' competition rights may be transferred from the sports club wherewith the athlete has been registered to another sports club.

(2) The transfer contract referred to in Paragraph (1) shall be concluded in writing with a notarised signature of the parties and shall be entered in the transfer register of the sports federation.

(3) Athletes' competition rights may be transferred by a contract from one sports club to another for a certain period of time within the sporting and competition year.

(4) The transfer or remise of competition rights shall be performed upon prior written consent given by the athlete.

**Article 80.** The transfer or remise of competition rights enjoyed by an athlete, who has represented the Republic of Bulgaria, to another state shall be carried out upon prior written consent given by the Minister of Youth and Sports.

**Article 81.** (1) Agency in favour of an athlete or a sports club for the acquisition, modification, termination or transfer of competition rights, as well as in favour of a coach or a sports club for concluding, amending or terminating a contract with a coach, may be carried out by an agent entered in the register referred to in Article 27, Paragraph 2, Item 4.

(2) The terms and procedure for carrying out the activities referred to in Paragraph (1) shall be established by the rules under Article 28, Paragraph 1, Item 6.

## **Section IV**

### **Refereeship**





**Article 82.** (1) A sports referee shall mean a person with special qualifications and rights to be a referee of sports competitions in a certain type of sport, to control observance of the rules for their conduct and to register the achieved sports results.

(2) The qualifications and rights of sports referees shall be acquired through training and sitting for an exam at the relevant sports federation.

(3) The sports federation shall determine the referee status observing the requirements of the relevant international sports organisation.

## **Section V**

### **Sports Schools**

**Article 83.** A sports school shall be a specialised school within the meaning of the Pre-school and School Education Act and shall provide general education and specialised training in the field of sport, and at the secondary education level – professional training as well in the professional area of sport.

**Article 84.** (1) Specialised classes at a sports school shall be held in a block of two school hours with an overall duration of 90 minutes followed by sufficient resting time.

(2) For each academic year, the principals of state sports schools shall coordinate with the Minister of Youth and Sports actions to ensure the necessary provisions for the education, training, competition and rehabilitation activities of pupils.

**Article 85.** The interaction of sports schools with licensed sports federations and their members, including the criteria for establishing a high-performance sport reserve, and the organisation of training in school subjects within the specialised curriculum of pupils, shall be laid down in the ordinance referred to in Article 143, Paragraph 6 of the Pre-school and School Education Act.

**Article 86.** (1) State sports schools shall be funded from state budget through the Ministry of Youth and Sports.

(2) A state sports school shall be established, transformed and closed by an order of the Minister of Education and Science upon proposal by the Minister of Youth and Sports pursuant to the Pre-school and School Education Act.

(3) A state sports school shall:

1. satisfy the educational and sports needs of pupils in more than one district as an administrative and territorial unit;
2. provide conditions for the use of sports facilities suitable for the types of sport wherein it takes and trains pupils;
3. have at its disposal a centre for training a high-performance sport reserve of prominent athletes;
4. have a dormitory or shall use a student hostel within the limits of the city/town/village where the school is located.

**Article 87.** The principals of state sports schools shall be appointed by the Minister of Youth and Sports on the basis of a competition held under the procedure of the Labour Code and under conditions laid down in the Rules for the Application of this Act.

**Article 88.** (1) Municipal sports schools shall be funded from municipal budgets.

(2) A municipal sports school shall be established, transformed and closed pursuant to the terms and procedure of the Pre-school and School Education Act following coordination with the Minister of Youth and Sports.



(3) A municipal sports school shall:

1. provide conditions for the use of sports facilities suitable for the types of sport wherein it takes and trains pupils;
2. have a dormitory or shall use a student hostel within the limits of the city/town/village where the school is located.

## **Chapter Seven**

### **ANTI-DOPING ACTIVITIES**

**Article 89.** The State and the sports organisations shall create conditions and promote education aimed at complying with anti-doping rules, and shall also implement measures of public interest to prevent, control and fight against the use, distribution, and toleration of the use of doping in sport by:

1. (amended, SG No. 96/2020, effective 1.01.2021) conducting awareness-raising campaigns on problems related to the pure sport principles and values, as well as on the problems, hazards and consequences related to the use of prohibited substances and prohibited methods in sport with the purpose of preventing the use of doping;
2. (supplemented, SG No. 96/2020, effective 1.01.2021) educating and increasing the awareness of sport and training personnel, medical professionals, and athletes, on anti-doping activities, as well as on their respective rights and responsibilities;
3. undertaking measures for the prevention, control, and fight against the use, distribution, and toleration of the use of doping in sport;
4. (supplemented, SG No. 96/2020, effective 1.01.2021) publish a current list of prohibited substances and prohibited methods in sport hereinafter referred to as "Prohibition List";
5. enforcing coercive administrative measures and imposing sanctions;
6. making public the disciplinary actions that have been imposed.

**Article 90.** (1) (Supplemented, SG No. 96/2020, effective 1.01.2021) Sport and training personnel, medical professionals, amateur athletes, professional athletes, officials, managers, agents, team members, as well as any other person who renders help or works with an athlete or in other way is engaged with the doping control shall not commit violations of anti-doping rules.

(2) Licensed sports federations and sports clubs having membership thereof, legal entities providing sports services, and the organisations referred to in Chapter Four, shall not allow the persons under Paragraph (1) to commit violations of anti-doping rules.

(3) Anti-doping rules shall be the rules stipulated in the International Convention against Doping in Sport drawn up in Paris on 19 October 2005 (ratified by law – State Gazette No. 105/2006) (SG No. 24/2007) (UNESCO Convention), the World Anti-Doping Code and the International Standards thereto, the Convention against the Use of Doping in Sport of the Council of Europe drawn up in Strasbourg on 16 November 1989 (ratified by law – State Gazette No. 36/1992) (SG No. 50/1997), and the Additional Protocol to the Convention against the Use of Doping in Sport of the Council of Europe drawn up in Warsaw on 12 September 2002 (ratified by law – State Gazette No. 17/2005) (SG No. 82/2005).

(4) A violation of anti-doping rules shall be:

1. the presence of a prohibited substance or its metabolites or markers in an athlete's sample;
2. the use or attempted use by an athlete of a prohibited substance or a prohibited method;
3. (amended, SG No. 96/2020, effective 1.01.2021) avoidance of sampling; denial or absence in sampling by an athlete without any valid reason after receiving a notice by an authorised person;



4. a breach of the requirements related to the athlete's obligation to be available for out-of-competition testing, including the failure to provide information on the whereabouts and missed tests;
  5. (supplemented, SG No. 96/2020, effective 1.01.2021) counterfeiting or attempted counterfeiting the doping control procedure by an athlete or other person;
  6. (supplemented, SG No. 96/2020, effective 1.01.2021) possession of prohibited substances or prohibited methods by an athlete or a support person;
  7. (supplemented, SG No. 96/2020, effective 1.01.2021) traffic, as well as attempted traffic of prohibited substances or prohibited methods by athlete or other person;
  8. (amended, SG No. 96/2020, effective 1.01.2021) the administration or attempted administration by an athlete or other person of any prohibited substance or prohibited method to any athlete in the course of a competition; administration or attempted administration to any athlete out-of-competition of any prohibited substance or prohibited method that is banned out-of-competition;
  9. (amended, SG No. 96/2020, effective 1.01.2021) assisting, encouraging, aiding, abetting, covering up or any other type of intentional complicity or attempted complicity by an athlete or other person, involving a violation or attempted violation of anti-doping rules, or a violation of the prohibition against participation in sports competitions during disqualification in the cases stipulated in the ordinance referred to in Paragraph (7);
  10. a professional or sport-related cooperation of an athlete or another person subject to testing by an anti-doping organisation with a support person in the cases stipulated in the ordinance referred to in Paragraph (7);
  11. (new, SG No. 96/2020, effective 1.01.2021) dissuasion or taking actions by an athlete or other person having revenge purpose for reporting to the authorities, apart from the cases in item (5).
- (5) (Amended, SG No. 96/2020, effective 1.01.2021) For violations of the anti-doping rules referred to in Paragraph (4), the persons under Paragraph (1) shall be subject to the following penalties:
1. disqualification of competition results, including forfeiture of medals, points and prizes;
  2. reprimand;
  3. (amended, SG No. 96/2020, effective 1.01.2021) suspension of rights for a period of one month until the ultimate withdrawal of the right to participate in competitions or activities in the field of sport related to the management or facilitation of the training and competition process;
  4. (new, SG No. 96/2020, effective 1.01.2021) temporary suspension;
  5. (new, SG No. 96/2020, effective 1.01.2021) financial penalties;
  6. (new, SG No. 96/2020, effective 1.01.2021) public disclosure.
- (6) (Supplemented, SG No. 96/2020, effective 1.01.2021) Violations shall be established and disciplinary actions shall be specified and imposed by the bodies referred to in Article 31, Paragraph 5 and by the Anti-Doping Centre pursuant to the procedure laid down in the ordinance under Paragraph (7). For one violation may be imposed more than one penalty.
- (7) In compliance with the provisions of the World Anti-Doping Code and the instruments referred to in Paragraph (3), the Council of Ministers shall stipulate by an ordinance:
1. the terms and procedure for exerting doping control;
  2. the disciplinary proceedings, including the specific features of the violations referred to in Paragraph (4);
  3. the measures for preventing and fighting against the use of doping in sport.

**Article 91.** (1) (Supplemented, SG No. 96/2020, effective 1.01.2021) The Anti-Doping Centre shall be the national anti-doping organisation, which is a specialised body for the implementation of doping control, prevention, and fight against the use, distribution, and toleration of the use of doping in sport. It is independent in its operational decisions and actions.

(2) The Anti-Doping Centre shall operate in the public interest and its activities shall be performed in compliance with the provisions of the World Anti-Doping Code and the International Standards thereto which have been updated pursuant to the procedure stipulated in the UNESCO Convention, and in conformity with the Convention against the Use of Doping in Sport of the Council of Europe and the Additional Protocol thereto.

(3) The Executive Director of the Anti-Doping Centre shall be a budget authoriser by sub-delegation at the Minister of Youth and Sports.

(4) The structure and operation of the Anti-Doping Centre shall be stipulated in rules adopted by the Council of Ministers.

## **Chapter Eight**

### **MEDICAL SUPERVISION AND MEDICAL PROVISION**

**Article 92.** (1) Persons practising training and competition activities at a sports club that is a member of a licensed sports federation shall be subject to medical supervision inclusive of:

1. obligatory initial and periodic medical examinations;
2. pre-competition medical examinations.

(2) The terms and procedure for conducting the medical examinations referred to in Paragraph (1) shall be laid down by an ordinance of the Minister of Health and the Minister of Youth and Sports.

(3) Persons who have not passed the medical examinations referred to in Paragraph (1) shall not be admitted to or shall be removed from training sessions and competitions.

**Article 93.** (1) Initial medical examinations shall be conducted in order to establish the health status of those participating in training and competition activities, and to exclude diseases which are adverse to their participation in such activities.

(2) Each person who has passed an obligatory initial medical examination shall receive a medical certificate.

**Article 94.** (1) Periodic medical examinations shall be conducted in order to establish the impact of training and competition practices on athletes' health status and to detect diseases adverse to the participation in training and competition activities.

(2) Each person who has passed a periodic medical examination shall receive a medical certificate.

**Article 95.** (1) Pre-competition medical examinations shall be conducted upon decision taken by the sports federation in order to establish athletes' health status prior to their participation in a competition.

(2) Pre-competition medical examinations shall be physical and shall be conducted not earlier than 72 hours prior to the competition.

(3) Depending on the result of the examination referred to in Paragraph (2), the competitor shall receive either a permit or a ban to participate in the competition.

**Article 96.** (1) The medical provision of sports competitions and of organised sports and tourism events shall be compulsory and shall include:

1. depending on the nature and mass character of the sporting event, the presence of one or more medical professionals (physicians, doctor's assistants, paramedics and nurses), and life-guards, necessary to provide medical assistance to the participants and those attending the sporting event;
2. verification that health requirements applicable to the used sports facilities are met;
3. verification of the participants' medical records.

(2) The activities referred to in Paragraph (1) shall be secured by the organisers of the sports competitions and the organised sports and tourism events.

(3) The regional health inspectorates, the control bodies of the Ministry of Youth and Sports and the Bulgarian Red Cross may prohibit or stop the conduct of competitions and organised sports and tourism events when medical assistance and mountain or water rescue are not provided.

## **Chapter Nine**

### **SPORT AND TRAINING PERSONNEL**

**Article 97.** (1) Sport and training personnel shall include sport and training specialists and coaching staff.

(2) Sport and training specialists shall be persons who have acquired:

1. a specialty within the professional area of sport according to the Classifier of Academic and Professional Areas and a professional qualification of a coach in the respective type of sport, or a professional qualification of a teacher of physical education and sport;

2. a professional qualification within the professional area of sport according to the List of Professions for Vocational Education and Training.

(3) Coaching staff shall mean coaches and instructors entered in the register referred to in Article 9, Paragraph 1, Item 4.

(4) Training activities shall be carried out and coaching services shall be rendered only by the persons referred to in Paragraph (3).

(5) The entry of coaching staff in the register shall be performed at the request of the physical person or of the respective sports federation.

(6) The terms and procedure for entry in the register referred to in Paragraph (3), as well as the requirements for taking positions by sport and training personnel, shall be established by an ordinance of the Minister of Youth and Sports.

**Article 98.** (1) Higher education institutions shall coordinate with the Minister of Youth and Sport the number of sport and training specialists. Their training shall be funded by the State.

(2) The conditions and procedure to recognise professional qualifications acquired in other countries for the purpose of instruction, training and management of physical activity, physical education and sport shall be implemented in accordance with the legislation in force.

**Article 99.** (1) The National Sports Academy "Vassil Levski", the specialised sports departments at other higher education institutions, the institutes of the Bulgarian Academy of Sciences and other scientific institutes and organisations in cooperation with the Ministry of Youth and Sports and the sports federations shall carry out academic research and applied activities in the high-performance sport system.

(2) The Minister of Youth and Sports shall:

1. support academic and applied activities in the field of high-performance sport;

2. organise, together with sports federations, the development of new test methods to evaluate the level of training in sports;

3. create and maintain a database on the levels of training and effectiveness of sports training;

4. participate in the updating of the system for supervision of the training, competition and rehabilitation process;

5. implement scientific achievements in the field of sport in the training process.

## **Chapter Ten**

# **SPORTS SERVICES**

**Article 100.** A sports service shall be rendered by a sports organisation or a person registered as a trader and shall include the provision of:

1. sports facilities or other suitable conditions for practising physical activity, physical education and sport;
2. coaching services.

**Article 101.** (1) A sports service shall be rendered:

1. in case safe conditions for the protection of citizens' health have been secured and guaranteed;
2. by a person entered in the register referred to in Article 9, Paragraph 1, Item 4 regarding the services under Article 100, Paragraph 2;
3. in case the medical conditions for the respective service have been secured;
4. at establishments entered in the public register of facilities for public use under Article 36, Paragraph 1 of the Health Act.

(2) The users of a sports service shall be informed about the type, duration and price of the service.

(3) It shall be inadmissible to refuse to provide sports services, as well as to provide sports services of an inferior quality or at less favourable conditions on the grounds listed in Article 4, Paragraph 1 of the Protection against Discrimination Act.

## **Chapter Eleven**

# **SPORTS FACILITIES**

### **Section I**

## **General Provisions**

**Article 102.** (1) Sports facilities shall mean a real estate or a part thereof which, according to a detailed land development plan, is intended for sporting functions, together with the constructed and/or installed removable objects and equipment necessary to practise the respective type of sport, including the necessary auxiliary and service facilities and premises associated with the operation thereof.

(2) Sports facilities shall be state, municipal and private property.

(3) Sports facilities shall be used for the purposes of physical activity, physical education, sport, sports and tourism activities, and the service and support activities related thereto. Sports facilities may also be used for cultural and other needs and events of a public nature provided that general sporting activities are not impaired and sports facilities are not damaged thereof.

(4) The development planning, the investment design, the construction and the commissioning of sports facilities shall be carried out according to the terms and procedure laid down in the Spatial Development Act and the statutory instruments for its implementation.

(5) The development and operation of sports facilities constituting open-air sports shooting ranges outside the limits of urbanised territories shall be carried out under conditions and by a procedure established by an ordinance of the Minister of Regional Development and Public Works in coordination with the Minister of Youth and Sports and the Minister of the Interior.

(6) The allocation of public funds for the construction, renovation and operation of sports facilities shall be carried out in compliance with state aid rules and under the Public Finance Act.

**Article 103.** (1) Sports facilities constituting state or municipal property may be granted free of charge for a certain period of time for the purposes of:

1. training and competition activities performed by the sports organisations entered in the register referred to in Article 9, Paragraph 1, Item 1, by sports schools, and by students of the National Sports Academy "Vassil Levski";
2. training national teams in various types of sport;
3. physical activity, physical education, sport, and sports and tourism activities in the system of pre-school and school education, including those organised further to the curriculum;
4. physical activity, physical education, sport, and sports and tourism activities at higher education institutions;
5. physical activity, physical education, sport, and sports and tourism activities in the Armed Forces, the system of the Ministry of Interior and the National Service for Protection;
6. the needs of sports organisations which have as their normal operation the development and promotion of sport for all and of sports for people with disabilities.

(2) The terms and procedure for using the facilities referred to in Paragraph (1) shall be stipulated by:

1. the Rules for the Application of this Act in the case of state-owned sports facilities;
2. an ordinance of the relevant municipal council in the case of sports facilities constituting municipal property.

(3) The State and the municipalities may grant to the Bulgarian Sports Totaliser State Enterprise appropriate premises and locations for its activities, including at sporting sites, without a tender or competition, in compliance with state aid rules and under the Public Finance Act.

(4) Sports facilities constituting public state property which have been granted to be managed by the National Sports Academy "Vassil Levski" shall be sites of national importance, shall serve to meet national needs in the field of physical education and sport on a long-term basis, and shall be intended for educational and training activities to develop high-performance sport.

**Article 104.** (1) State bodies managing sports facilities, as well as municipal councils, shall draw up, adopt and update a list of the sports facilities that may be subject to management and disposition under this Act.

(2) The list referred to in Paragraph (1) shall be made public in the building of the respective body and on the website of the respective administration, as well as at the location of the sports facilities, insofar as they allow it.

(3) The list referred to in Paragraph (1) shall be sent to the Minister of Youth and Sports within 14 days after it has been adopted or updated.

(4) State-owned sports facilities shall be leased out, shall be objects of concession, and a right of use or a building right may be established thereon, after the list of sports facilities has been made public pursuant to Paragraph (2).

(5) A transcript of the programme referred to in Article 8, Paragraph 9 of the Municipal Property Act, in its section concerning municipal sports facilities, shall be sent to the Minister of Youth and Sports within 14 days of its approval or updating. Paragraphs (2) and (4) shall apply accordingly.

**Article 105.** (1) Sports facilities constituting state or municipal property shall be insured in favour of their owner.

(2) Sports facilities that have been constructed as a result of exercising a building right instituted regarding a state or municipal real estate shall be insured in favour of the State or the municipality.

(3) The minimum risks against which the properties referred to in Paragraphs (1) and (2) are insured shall be prescribed by the Rules for the Application of this Act.

(4) The costs borne to sign and keep the insurance policies referred to in Paragraphs (1) and (2) shall be at the expense of the lessee, the transferee or the concessionaire.

**Article 106.** Sports facilities constituting state or municipal property that have been subject to lease, use or concession shall be maintained and currently repaired at the expense of the lessee, the transferee or the concessionaire. The expenses incurred for the implementation of the investment programmes referred to in Article 110, Paragraph 1, Item 1 and in Article 115, Paragraphs (1) and (2) shall be borne by the lessee, the transferee or the concessionaire.

## **Section II**

### **Sports Facilities Lease**

**Article 107.** (1) Sports facilities, or parts thereof, constituting state or municipal property may be leased out according to the terms and procedure established by the legislation in force and pursuant to the requirements of this Act.

(2) The Rules for the Application of this Act and, accordingly, the ordinance referred to in Article 103, Paragraph 2, Item 2 shall stipulate:

1. the requirements to be met by the participants;
2. the criteria for assessing the amount of envisaged investments and supervision over their implementation;
3. the conditions for evaluating the opportunities to develop sports activities, as well as the sports results that have been achieved;
4. the procedure for submission and consideration of applications, rating of participants and conclusion of contract.

(3) When conducting tenders to lease out state-owned sports facilities, a representative of the Ministry of Youth and Sports shall also participate in the committee.

**Article 108.** (1) Sports facilities, or parts thereof, constituting state or municipal property may be leased out for a period of up to 10 years.

(2) Sports facilities, or parts thereof, constituting state or municipal property may be leased out for a period of up to 30 years to a sports club, sports federation or a united sports club entered in the relevant register under Article 9, Paragraph 1.

(3) Sports facilities constituting state or municipal property may be leased out for a period of up to one year without a tender or competition pursuant to the terms and procedure laid down in the Rules for the Application of this Act, or in the ordinance referred to in Article 103, Paragraph 2, Item 2, to a sports club as a non-profit association operating in the public interest, to a sports federation, or to a united sports club entered in the relevant register under Article 9, Paragraph 1.

(4) The lease price of state-owned sports facilities or parts thereof shall be fixed on the basis of an assessment made by an independent registered valuer, and in the case of sports facilities, or parts thereof, constituting municipal property – by the municipal council.

**Article 109.** The conditions for a tender or a competition to lease out facilities under Article 108, Paragraph 1 for a period of up to 10 years shall include participants' obligations to present:

1. a programme for sports facility management envisaging resources to pay rent for the duration of contract;



2. a plan for sports facility use for the initial 5 years of the lease contract term and an updated plan for the remaining period;
3. evidence of the opportunities to develop sports activities and of the sports results that have been achieved.

**Article 110.** (1) The conditions for a tender or competition to lease out facilities under Article 108, Paragraph 2 for a period of up to 30 years shall include the obligations referred to in Article 109, as well as participants' obligations to submit:

1. an investment programme for sports facility repairs and renovation leading to an increase in its value;
2. evidence of a financially secured investment programme and of the origin of the resources for its implementation;
3. a programme for sports activities as per quantity and quality indicators.

(2) The investment programme referred to in Paragraph 1, Item 1 shall envisage the making of repair and renovation investments within three years at most from the conclusion of the lease contract and shall contain a detailed analysis and an estimate of the intended investments and their phased execution.

(3) The fact of securing financially the investment programme referred to in Paragraph 1, Item 1 shall be evidenced by:

1. a written declared intention for concluding a funding contract where the funding is provided by an international sports organisation or from participation in an international sports funding programme;
2. a notarised copy of a funding contract concluded between the participant and Bulgarian or foreign natural persons or legal entities, as well as evidence of the financial capacity of the persons providing the funds, such as an annual balance sheet and a profit and loss account, annual tax returns, bank recommendations, and suchlike;
3. an audited annual financial statement for the last calendar year and the instrument whereby it has been adopted;
4. an interim audited financial statement for the last finalised quarter.

(4) In the cases referred to in Paragraph 3, Item 1, the lessee shall present the funding contract to the lessor and to the Minister of Youth and Sports within a month at most following the conclusion of the lease contract. The lease contract shall take effect after the funding contract has been produced.

**Article 111.** All sports facility improvements shall become lessor's property, no compensation for their value being due.

## **Section III**

### **Concession**

**Article 112.** (1) Concessions may be granted on sports facilities constituting state and municipal property pursuant to the terms and procedure of the Concessions Act, while observing the requirements of this Act.

(2) The concessioner shall be obligated to ensure public access of citizens to the object of concession and use of the said object for the performance of activities related to physical activity, physical education, sport, and sports and tourism activities in accordance with Article 103, Paragraph 1. The requirements to ensure public access and use of the object of concession for the performance of the particular activities shall be laid down as conditions related to the concession, and the procedure for the fulfilment of the said requirements shall be established by the concession contract.

## **Section IV**

### **Limited Real Rights**

**Article 113.** (1) A right of use which is gratuitous or against consideration may be established over sports facilities constituting state or municipal property.

(2) A building right which is gratuitous or against consideration may be instituted over a state or municipal real estate.

(3) A gratuitous right of use or a gratuitous building right may be established in the benefit of a sports club as a non-profit association operating in the public interest, to a sports federation, or to a united sports club entered in the relevant register under Article 9, Paragraph 1.

(4) A right of use or a building right shall be instituted for a period not exceeding 30 years. The time limit shall begin to run as from the entry into force of the contract for the establishment of the right.

(5) A right of use or a building right which is against consideration shall be established over state-owned sports facilities or parts thereof at a price fixed on the basis of an assessment made by an independent registered valuer. In case the right has been instituted over sports facilities, or parts thereof, constituting municipal property, the price shall be set by a decision of the municipal council.

**Article 114.** (1) To be granted a right of use or a building right, an application shall be submitted to:

1. the Minister of Youth and Sports in the case of state-owned sports facilities and real estates;
2. the mayor of the relevant municipality in the case of sports facilities and estates constituting municipal property.

(2) A financially secured investment programme shall be enclosed to the application referred to in Paragraph (1). The fact of securing financially the investment programme shall be evidenced by:

1. a written declared intention for concluding a funding contract where the funding is provided by an international sports organisation or from participation in an international sports funding programme;
2. a notarised copy of a funding contract concluded between the participant and Bulgarian or foreign natural persons or legal entities, as well as evidence of the financial capacity of the persons providing the funds, such as an annual balance sheet and a profit and loss account, annual tax returns, bank recommendations, and suchlike;
3. an audited annual financial statement for the last calendar year and the instrument whereby it has been adopted;
4. an interim audited financial statement for the last finalised quarter.

(3) The first application under Item 1 or Item 2 of Paragraph 1 shall be published within 7 days on the website of the Ministry of Youth and Sports or on the website of the respective municipality.

(4) An application to be granted a right of use or a building right may be submitted by other applicants as well within two months as from the announcement date under Paragraph (3).

(5) The applications and the documents enclosed thereto may also be submitted electronically according to the terms and procedure set in the Electronic Document and Electronic Trust Services Act and the Electronic Government Act.

**Article 115.** (1) The investment programme of the applicant for a right of use shall include:

1. a detailed analysis and an estimate of investments intended for repairs and renovation of sports facilities, for the phased execution of construction and assembly works and putting into operation, for sport facility management for the duration of the right of use, as well as information on the origin of resources;

2. a time limit for the repair and renovation of the sports facilities not exceeding three years as from the entry into force of the contract for the establishment of the right of use.

(2) The investment programme of the applicant for a building right shall include:

1. a detailed analysis and an estimate of investments intended for the construction of new sports facilities, for the phased execution of construction and putting into operation, for sport facility management for the duration of the building right, as well as information on the origin of resources;

2. a time limit to commence construction not exceeding three years, and a time limit to put the new sports facilities into operation not exceeding 5 years, as from the entry into force of the contract for the establishment of the building right.

(3) In the case of instituting a right of use for a period exceeding 10 years, the investment programme referred to in Paragraph (1) shall envisage the making of investments worth not less than 50 per cent of the market value of the sports facilities.

(4) In the case of instituting a building right for a period exceeding 10 years, the investment programme referred to in Paragraph (2) shall envisage the making of investments worth not less than the market value of the real estate.

(5) In case a right of use and a building right which are against consideration are established, the applicant shall indicate in the investment programme the price he proposes.

**Article 116.** (1) Within a month as of the expiry of the term under Article 114, Paragraph 4, the applications and documents that have been submitted shall be examined by a committee the composition of which shall be determined by:

1. the Council of Ministers and which shall include a representative of the Council of Ministers, the Ministry of Regional Development and Public Works, the Minister of Youth and Sports, regional and municipal administration according to the location of the state-owned sports facilities and real estates;

2. the mayor of the relevant municipality in the case of sports facilities or estates constituting municipal property.

(2) The Rules for the Application of this Act and, accordingly, the ordinance referred to in Article 103, Paragraph 2, Item 2 shall stipulate:

1. the requirements to be met by the participants;

2. the procedure for consideration of applications and rating of participants.

**Article 117.** (1) As regards state-owned sports facilities or estates, a right of use or a building right shall be instituted by the Minister, the head of another department or the regional governor managing the estate. The right of use or the building right shall be established following a decision of the Council of Minister on the basis a motivated report made by the Minister of Youth and Sports upon proposal by the committee referred to in Article 116, Paragraph 1, Item 1.

(2) As regards sports facilities or estates constituting municipal property, a right of use or a building right shall be instituted by mayor of the respective municipality. The right of use or the building right shall be established following a decision of the municipal council on the basis a motivated report made by the mayor upon proposal by the committee referred to in Article 116, Paragraph 1, Item 2.

**Article 118.** (1) The contract for the establishment of a right of use or of a building right shall be concluded and terminated by the competent body referred to in Article 117 and shall include:

1. a description of the real estate or the sports facilities indicating the type, location (municipality, city/town/village, address, locality), estate number, area and/or built-up area, and borders;

2. the period of time for which the right of use or the building right is instituted;

3. the time limit to complete construction and to receive a permit to use the new sports facilities, in case of a building right has been established;

4. the time limit to complete repair and renovation works and to receive a permit to use the new sports facilities, in case of a right of use has been established;
  5. the obligations to abide by the requirements for implementing the investment programme;
  6. the procedure to perform, determine and approve activities under the investment programme;
  7. the obligations to observe and fulfil the conditions for use pursuant to Article 103, Paragraph 1 and the conditions for public use;
  8. the transferee's obligation under Article 122, Paragraph 1;
  9. the grounds for early termination of contract further to those referred to in Article 119.
- (2) The investment programme shall constitute an integral part of the contract.
- (3) Where funding is provided by an international sports organisation or from participation in an international programme, the transferee shall present the funding contract to the competent body referred to in Article 117 within three months after the contract under Paragraph (1) has been concluded. The contract shall take effect after the funding contract has been produced.

**Article 119.** (1) The right of use shall be terminated prior to expiry of the period for which it has been established provided that:

1. the sports federation has been deprived of its sports licence or the sports club has been deleted from the register referred to in Article 9, Paragraph 1, Item 1;
2. the provisions of this Act or the terms of the contract have been violated.

(2) The building right shall be terminated prior to expiry of the period for which it has been established provided that:

1. the sports federation has been deprived of its sports licence or the sports club has been deleted from the register referred to in Article 9, Paragraph 1, Item 1;
2. the provisions of this Act or the terms of the contract have been violated.
3. construction has not begun for three years after the establishment of the building right or, for 5 years, the sports facilities have not been put into operation.

**Article 120.** (1) Costs incurred for the establishment of a right of use or a building right, and for the implementation of administrative procedures and proceedings related thereto shall be at the expense of the transferee.

(2) Costs incurred for designing, constructing and putting into operation sports facilities, in the case of establishing a building right, and costs incurred for repairs and renovation of sports facilities, in the case of establishing a right of use, shall be at the expense of the transferee.

(3) Expenses related to the termination of the contract for instituting a right of use or a building right, as well as the settlement of rights to the improvements in favour of the State or the municipality, shall be borne by the transferee.

**Article 121.** (1) Upon expiry of the period for which the right of use or the building right has been established, all estate or sports facility improvements shall become state or municipal property, no compensation for their value being due.

(2) Where the legal entity benefiting from the right of use or the building right has been deleted as a result of insolvency or liquidation proceedings prior to the expiry of the term of the established right, all estate or sports facility improvements shall become state or municipal property.

**Article 122.** (1) It shall be forbidden to take actions and to conduct transactions that have the effect of changing the transferee, disposing of or burdening in any way whatsoever the title to sports facilities that have been constructed as a result of exercising a building right.

(2) Legal transactions under Paragraph (1) shall be null and void.

(3) Sports facilities that have been constructed as a result of exercising a building right shall not be subject to coercive enforcement.

## **Chapter Twelve**

### **FUNDING**

#### **Section I**

#### **General Provisions**

**Article 123.** Physical education, physical activity, sport, and sports and tourism activities shall be funded from state budget, municipal budgets, resources provided in the course of implementing international agreements and programmes, and from other resources.

**Article 124.** (1) Activities under this Chapter shall be financially supported by public resources in compliance with state aid rules.

(2) The Minister of Youth and Sports and municipality mayors shall administer the support pursuant the State Aids Act.

**Article 125.** (1) As part of its budget, the Ministry of Youth and Sports shall administer funds from:

1. a grant fixed by the State Budget Act for the relevant year;
2. revenues from the operation of the Bulgarian Sports Totaliser State Enterprise under Article 14, Paragraph 3 of the Gambling Act;
3. national programmes related to the activities of the Ministry of Youth and Sports;
4. international programmes, international contracts and agreements;
5. donations, testaments and sponsorship by Bulgarian and foreign persons;
6. fines and pecuniary sanctions imposed under this Act;
7. other resources as specified by a statutory instrument.

(2) (Amended, SG No. 69/2020) The funds referred to in Paragraph 1, Item 2 shall be determined by a scheme for distribution of the revenues from the activity of the Bulgarian Sports Totaliser State Enterprise, approved by the Minister of Youth and Sports for the respective year.

(3) The funds referred to in Paragraph 1, Item 2 shall be allocated and kept in an account for external funds and shall be spent through the budget of the Ministry of Youth and Sports according to the procedure established by the Public Finance Act.

#### **Section II**

#### **Financial Support by Public Resources**

**Article 126.** Using public resources, all or part of the activities that are subject to state policy shall be supported financially in the following areas of physical activity, physical education, sport, and sports and tourism activities:

1. sport for all;
2. high-performance sport.

**Article 127.** (1) Activities that may be financially supported by public resources shall constitute:

1. organisation and conduct of sport practices, sports and tourism activities and physical exercises;

2. organisation and conduct of sporting and sports and tourism events, and of competitions, within the territory of the country;
  3. participation in sporting and sports and tourism events, and in competitions, within the territory of the country and abroad;
  4. training and rehabilitation of athletes;
  5. activities referred to in Article 128, Paragraph 1, Items 2 – 6.
- (2) Financial support of the activities referred to in Paragraph 1, Items 1 – 4 shall concern:
1. provision of sports appliances, devices and equipment;
  2. securing the use and maintenance of sports facilities and consumables related to the specific type of sport;
  3. providing remuneration for sport experts, for medical and support staff, and for referee panels;
  4. insurance policies and expenses incurred for participation in sporting events and competitions, fees for the conduct of competitions or for participation therein;
  5. athlete training and rehabilitation process;
  6. the process of organising sporting and sports and tourism events and competitions;
  7. awarding prizes – cups, medals, plaques, achievement certificates.

**Article 128.** (1) Funds from the budget of the Ministry of Youth and Sports may be used to support financially:

1. activities referred to in Article 127, Paragraph 1, Items 1 – 4 and in Paragraph (2) which are performed by:
    - (a) licensed sports federations with at least 15 sports clubs as members;
    - (b) sports clubs that are associations registered to operate in the public interest and members of licensed sports federations;
    - (c) national organisations under Chapter Four, Section II and Section III;
  2. pedagogical, material, technical, scientific, information and medical provision of the preparation of the national teams and athletes of the Republic of Bulgaria for participation in the Olympic Games;
  3. activities of the Bulgarian Olympic Committee and of the National Paralympic Organisation related to the participation of Bulgarian sports delegations in Olympic and Paralympic Games, and in Olympic and youth festivals;
  4. activities of non-profit legal entities operating in the public interest related to the treatment of former and current national athletes, as well as events promoting and asserting the development of sport;
  5. training, sports and competition activities at state sports schools, including maintenance and development of sports and technical facilities;
  6. construction, renovation and management of sports facilities constituting state and municipal property.
- (2) The entities referred to in Paragraph (1) that have received financial support shall keep analytical accounts regarding their economic and non-economic activities.
- (3) The procedure for financial support under Paragraph (1) shall be established by ordinances of the Minister of Youth and Sports.

**Article 129.** (1) Financial support shall be implemented on the basis of a contract accompanied by a financial plan as to the amount of the funds for the supported activities.

- (2) By the contracts referred to in Paragraph (1), the entities that have received financial support pursuant to Article 128, Paragraph 1 may undertake not to transfer to third parties tangible fixed assets acquired by public resources for the duration of their useful usage.
- (3) The entities that have received financial support pursuant to Article 128, Paragraph 1 shall report to the Minister of Youth and Sports how they have spent the resources allocated to them. The procedure

to report and to approve the reports shall be established by the ordinances referred to in Article 128, Paragraph 3.

(4) The entities that have received financial support pursuant to Article 128, Paragraph 1 shall reimburse in full the resources which have been allocated to them but which have not been spent for their intended purpose along with a legal interest as of the allocation date.

**Article 130.** (1) The Minister of Youth and Sports shall terminate the contract for financial support in case of:

1. withdrawal or termination of the sports licence of the sports federation;
2. deletion of the sports club, or of the National Organisation for Sports and Tourism Activities, or of the National Organisation for University Sports from the register referred to in Article 9, Paragraph 1;
3. initiation of insolvency or liquidation proceedings.

(2) In the cases referred to in Paragraph (1), financial support shall be extended only to cover:

1. preparation for participation in the Olympic Games of athletes who have won the right to participate therein;
2. preparation and participation of athletes in competitions which entitle them to take part in the Olympic Games and for which the sports federation has registered their participation prior to the event referred to in Paragraph 1, Item 1 or Item 3.

**Article 131.** (1) A sports federation shall notify immediately the Minister of Youth and Sports and the Executive Director of the Anti-Doping Centre in case it has information that an athlete it has registered has committed a violation of the anti-doping rules.

(2) The Minister of Youth and Sports shall suspend financial support for the athlete and the officials who are directly related to the athlete's training, if applicable, as from the month following the receipt of the notification referred to in Paragraph (1), and shall resume financial assistance in case an effective instrument of a competent body ascertains that the athlete has not violated the anti-doping rules.

(3) The sports federation that has registered the athlete under Paragraph (1) shall reimburse the public resources intended to support financially the athlete and the officials who are directly related to the athlete's training as from the date of committing the violation.

(4) An athlete who has been punished for a violation of the anti-doping rules referred to in Article 90, Paragraph 4, as well as coaches and officials who have been awarded for the rankings achieved, shall reimburse the funds allocated pursuant to Article 134, Paragraph 2 following the date of the adverse sample collection. A sports federation that has registered the athlete shall be jointly liable with the athlete, coaches and officials for the return of the prizes which have been provided using public resources.

**Article 132.** (1) The Council of Ministers shall specify the minimum differentiated amounts of the funds intended for physical activity, physical education, sport, and sports and tourism activities performed by children and students at institutions in the system of pre-school and school education and at higher schools.

(2) The resources referred to in Paragraph (1) shall be provided from state budget and municipality budgets.

(3) Subsidies for the maintenance and development of sports facilities at institutions in the system of pre-school and school education and at higher schools shall envisaged on an annual basis in the budgets of authorisers by delegation and in municipality budgets.

**Article 133.** (1) Funds from municipal budgets may be used to support financially:

1. implementation of the activities referred to in Article 6, Item 1;
2. construction, renovation and management of sports facilities constituting municipal property.



(2) Municipalities may support:

1. sports organisations, sports schools and tourist associations having their seat and performing their activities within the territory of the respective municipality;
2. non-profit legal entities which have been registered to operate in the public interest and which organise and encourage children and young people to engage in physical activity, sport, and sports and tourism activities.

(3) Municipalities shall support as a matter of priority activities in the sphere of sport for all.

(4) The terms and procedure to fund and support physical activity, physical education, sport, and sports and tourism activities shall be established by an ordinance of the municipal council.

## **Section III**

### **Bonuses and Prizes**

**Article 134.** Funds from the budget of the Ministry of Youth and Sports shall be used to award:

1. scholarships and other measures for the protection of children of prominent talent determined according to the procedure laid down in the ordinance under Article 5a of the Child Protection Act;
2. (supplemented, SG No. 64/2019, effective 13.08.2019) prizes to athletes, medallists and prize winners from European and world championships, Olympic Games and similar games and leagues for people with disabilities, as well as to coaches and officials directly involved in their training;
3. lifelong monthly bonuses to athletes and coaches;
4. monthly cash allowances;
5. one-time cash allowances.

**Article 135.** (1) (Supplemented, SG No. 64/2019, effective 13.08.2019) Athletes, medallists and prize winners from European and world championships, Olympic Games and similar leagues and games for people with disabilities, as well as coaches and officials directly involved in their preparation, may be awarded one-time cash allowances under Article 134, Paragraph 2 by the Minister of Youth and Sports for their sports achievements and rankings.

(2) (Amended, SG No. 64/2019, effective 13.08.2019) The criteria, terms and procedure for the awards under Paragraph (1) shall be established by an ordinance of the Minister of Youth and Sports.

**Article 136.** (1) Lifelong monthly bonuses under Article 134, Item 3 shall be awarded to:

1. medallist from Olympic and Paralympic Games who have discontinued their active competition activities;
  2. personal coaches of Olympic medallists who:
    - (a) have been directly involved in the training of the Olympic medallist for a period of time not less than 4 years;
    - (b) have acquired the right to a retirement pension within the meaning of the Social Insurance Code;
  3. senior coaches of combined Olympic teams practising the relevant type of sport in which an Olympic medal has been won, who:
    - (a) have participated in the team training for at least one full Olympic cycle;
    - (b) have acquired the right to a retirement pension within the meaning of the Social Insurance Code.
- (2) Lifelong monthly bonuses shall be awarded upon submission of a written or electronic application to the Minister of Youth and Sports, through the Bulgarian Olympic Committee or through the National Paralympic Organisation, with a copy of an official document enclosed thereto certifying the circumstance under Paragraph 1, Item 2, Letter "b" or Item 3, Letter "b".



(3) The circumstance under Paragraph 1, Item 2, Letter "a" shall be certified by a declaration submitted to the Bulgarian Olympic Committee by the Olympic medallist, or by the relevant sports organisation in case the Olympic medallist has deceased, and the circumstance under Paragraph 1, Item 3, Letter "a" – by the relevant sports organisation. To award a lifelong monthly bonus to each applicant, the Bulgarian Olympic Committee or the National Paralympic Organisation shall confirm the existence or absence of the prerequisites under Paragraph 1, Item 2, Letter "a" or Paragraph 1, Item 3, Letter "a".

(4) The amount of the individual monthly bonus awarded to a person under Paragraph 1, Item 1 shall be determined on the basis of the number of medals won, each medal having the following pecuniary equivalent:

1. gold medal at Olympic Games – three minimum monthly employment salaries for Bulgaria;
2. silver medal at Olympic Games – 90 per cent of three minimum monthly employment salaries for Bulgaria;
3. bronze medal at Olympic Games – 80 per cent of three minimum monthly employment salaries for Bulgaria.

(5) Monthly bonuses awarded to the persons referred to in Paragraph 1, Items 2 and 3 shall amount to one minimum monthly employment salary for Bulgaria, regardless of the number of athletes who have declared the person as their personal trainer or of the number of teams whereof the person has been a senior coach.

(6) Upon revocation, regardless of the reason, of an Olympic medal or a medal from Paralympic Games by the International Olympic Committee or the International Paralympic Committee, the Ministry of Youth and Sports shall:

1. discontinue immediately the payment of the lifelong monthly bonus, and
2. require the reimbursement of all bonuses received for this medal in case evidence has been produced that the athlete has intentionally used forbidden means or ways to achieve better results.

**Article 137.** (1) Children under the age of 18, within the meaning of Article 5, Paragraphs (1) and (2) of the Succession Act, of medallists who have discontinued their active competition activities and whose right under Article 136, Paragraph 1, Item 1 has been lapsed due to death, shall be entitled to a monthly cash allowance under Article 134, Item 4.

(2) Children, within the meaning of Article 5, Paragraphs (1) and (2) of the Succession Act, of medallists who have discontinued their active competition activities and whose right under Article 136, Paragraph 1, Item 1 has been lapsed due to death, shall also be entitled to the monthly allowance referred to in Paragraph (1) provided that they are full-time students under the age of 25 at a higher education institution.

(3) For all eligible children, the cash allowance referred to in Paragraphs (1) and (2) shall amount to the lifelong monthly bonus awarded to the deceased medallist, as established according to the procedure set out in Article 136, Paragraph 4.

(4) To be awarded the cash allowance referred to in Paragraphs (1) and (2), an application in the standard form shall be submitted to the Minister of Youth and Sports by a legal representative of the minor under Paragraph (1) or by the person under Paragraph (2).

(5) The procedure for submission and consideration of the application referred to in Paragraph (4), including the application standard form, shall be established by an ordinance of the Minister of Youth and Sports.

(6) The application referred to in Paragraph (4) shall be accompanied by documents certifying the fulfilment of the conditions to be awarded a monthly cash allowance. The requirements regarding the relevant documents shall be established by the ordinance under Paragraph (5).

**Article 138.** (1) A one-time cash allowance under Article 134, Item 5 may be awarded to children under the age of 18, within the meaning of Article 5, Paragraphs (1) and (2) of the Succession Act, of medallists whose right under Article 136, Paragraph 1, Item 1 has been lapsed due to death.

(2) The amount of the cash allowance under Paragraph (1) shall not exceed the amount of the lifelong monthly bonus awarded to the deceased medallist, as established according to the procedure set out in Article 136, Paragraph 4.

(3) To be awarded the cash allowance referred to in Paragraph (1), an application in the standard form shall be submitted to the Minister of Youth and Sports by a legal representative of the minor.

(4) The procedure for submission and consideration of the application referred to in Paragraph (3), including the application standard form, shall be established by the ordinance under Article 137, Paragraph 5.

(5) The application referred to in Paragraph (3) shall be accompanied by documents certifying the fulfilment of the conditions to be awarded a one-time cash allowance. The requirements regarding the relevant documents shall be established by the ordinance under Article 137, Paragraph 5.

## **Chapter Thirteen**

### **SUPERVISION**

**Article 139.** The Minister of Youth and Sports shall, independently or together with other competent state and local authorities, exercise supervision over:

1. sports organisations and other persons rendering sports services;
2. persons who have received financial support pursuant to this Act;
3. persons who have signed a rental contract or a contract whereby they have been granted the right to use or construct sports facilities;
4. persons who perform activities referred to in this Act without meeting its requirements.

**Article 140.** (1) The Minister of Youth and Sports shall exercise supervision over compliance with the requirements of this Act and of the instruments on the application thereof, including the spending of public funds provided under this Act.

(2) When exercising the supervision referred to in Paragraph (1), the Minister of Youth and Sports may be assisted by independent external experts.

**Article 141.** (1) The supervision referred to in Article 140, Paragraph 1 shall be exercised through inspections conducted by officials authorised by the Minister of Youth and Sports.

(2) When conducting the inspections, the officials shall certify their powers by producing an order for inspection and shall be entitled to:

1. free access to the facilities under inspection;
2. require written explanations, documents and other information on paper or in electronic form;
3. check accounting, commercial and other documents;
4. require information, documents and other information on paper or in electronic form from third parties;
5. require the persons under inspection to appear at the Ministry of Youth and Sports and to provide access to all places where they have or they are performing their activities;
6. require information from state and local authorities about the supervision they exercise over sports organisations and their activities.

(3) The person under inspection shall be obliged to assist the officials, to secure free access to the premises and documents, and to furnish the necessary documents and information related to the inspection within the stipulated time limits. The documents in a foreign language shall be presented

together with an accurate translation into Bulgarian. The person under supervision shall not invoke commercial or other secrecy protected by law in the course of the inspection. When providing information to officials, the person under inspection shall identify the materials the person believes contain commercial secret or other secret protected by law and, therefore, shall be regarded as confidential. In such cases, the materials shall be provided after obliterating the data regarded as confidential.

(4) The inspected person shall provide copies of the documents the person has certified. The certification shall be effected by affixing the text "True Copy Authenticated", date, signature and impression of a seal by a legal or authorised representative of the inspected person.

(5) State and local authorities shall be obliged to assist the Minister of Youth and Sports and the relevant officials when they perform their control functions.

(6) Officials shall be entitled to access free of charge to public registers during and on the occasion of performing their control functions.

**Article 142.** Officials shall be obligated:

1. to give accurate presentation of the facts from their inspection;
2. to refrain from disclosing official and commercial secrets that have come to their knowledge in connection with the inspection;
3. not to disclose data from the inspection;
4. (amended, SG No. 17/2019) to process personal data in compliance with the requirements for their protection.

**Article 143.** (1) A written statement of ascertainment of the conducted inspection shall be drawn up in duplicate and shall be signed by the officials who carried out the inspection. The statement of fact shall be presented to the inspected person who shall be entitled to give explanations and make objections upon receipt of the statement.

(2) Upon establishment of violations, the Minister of Youth and Sports shall, upon proposal made by the relevant officials, refer the matter to the competent authorities, shall carry out coercive administrative measures or shall impose sanctions provided for by law.

**Article 144.** (1) Sports federations shall exercise supervision over its members to ensure observance of the requirements of this Act.

(2) Upon establishment of violations committed by sports clubs, the sports federation shall notify the Minister of Youth and Sports thereof.

(3) Within a month following the notification referred to in Paragraph (2), the Minister of Youth and Sports shall appoint an inspection.

(4) The sports federation shall suspend the membership of a sports club that has tolerated systematic violations of the anti-doping rules referred to in Article 90, Paragraph 4.

## **Chapter Fourteen**

### **COERCIVE ADMINISTRATIVE MEASURES**

**Article 145.** To prevent and terminate violations under this Act and the statutory instruments for its implementation, as well as to prevent and obviate the harmful consequences thereof, the Minister of Youth and Sports or a deputy minister empowered thereby shall be entitled to:

1. give mandatory instructions;
2. order sports federations to bring their internal instruments in compliance with this Act;
3. cease financial support;

4. ban the conduct of sports competitions and sporting events.

**Article 146.** (1) Coercive administrative measures shall be administered by a motivated order of the Minister of Youth and Sports or of a deputy minister empowered thereby upon a motivated report made by an official with the Ministry of Youth and Sports.

(2) The order referred to in Paragraph (1) shall stipulate the grounds, the type and the manner to carry out the relevant coercive administrative measure. The order shall be communicated within 7 days after the coercive administrative measure has been imposed according to the procedure established by the Code of Administrative Procedure.

(3) The order referred to in Paragraph (1) shall be subject to appeal before the competent administrative court according to the procedure set out in the Code of Administrative Procedure. The appeal shall not suspend the enforcement of the coercive administrative measure imposed.

## **Chapter Fifteen**

### **ADMINISTRATIVE PENALTY PROVISIONS**

**Article 147.** (1) A pecuniary sanction in the amount of BGN 5,000 to BGN 10,000 shall be imposed on a person carrying out activities for which a sports licence is required without having such a licence.

(2) A pecuniary sanction in the amount stipulated in Paragraph (1) shall be imposed on a sports club for violation of Article 17, Paragraph 2.

(3) A repeated violation under Paragraph (1) or (2) shall be punishable by a pecuniary sanction in the amount of BGN 15,000.

**Article 148.** (Repealed, SG No. 96/2020, effective 1.01.2021).

**Article 149.** (1) A person under Article 90, Paragraph 2 tolerating violation of the anti-doping rules referred to in Article 90, Paragraph 4 shall be subject to a fine in the amount of:

1. BGN 1,000 for a first violation;
2. BGN 2,000 for a repeated violation;
3. BGN 3,000 for a third violation;
4. BGN 4,000 for any subsequent violation.

(2) The sanction referred to in Paragraph (1) shall be imposed on sports federations only in case the violation has been committed by an athlete or an official with the national team during a sports camp of the national team or during a competition organised by an international sports organisation. Further to the cases envisaged in the first sentence, the sanction shall be imposed on the sports club wherein the person performs his/her activities.

(3) The order of the violations under Paragraph 1, Items 1 – 4 shall be determined for a period of two years as from the date of imposing, by an effective instrument, a previous sanction for a violation under Paragraph (1) or (2).

**Article 150.** (1) An official of the Anti-Doping Centre or an anti-doping-team member who has failed to discharge an obligation in the course of exerting doping control shall be subject to a fine in the amount of BGN 500 to BGN 1,000.

(2) A subsequent violation under Paragraph (1) shall be punishable by a fine in the amount of BGN 2,000.

**Article 151.** In case of non-fulfilment of a coercive administrative measure under Article 145, a fine or a pecuniary sanction in the amount of BGN 500 to BGN 1,000 shall be imposed on the liable persons.

**Article 152.** (1) A fine or a pecuniary sanction in the amount of BGN 500 to BGN 1,000 shall be imposed on the liable persons for any other violation of this Act or the statutory instruments for its implementation further to the cases referred to in Articles 147 to 151.

(2) A repeated violation under Paragraph (1) shall be punishable by a fine or a pecuniary sanction in the amount of BGN 2,000.

**Article 153.** (1) The instruments whereby violations are established shall be drawn up by officials appointed by an order of the Minister of Youth and Sports, and in the case of violations under Article 150 – by an order of the Executive Director of the Anti-Doping Centre.

(2) Penalty decrees shall be issued by the Minister of Youth and Sports or by an official empowered thereby, and in the case of violations under Article 150 – by the Executive Director of the Anti-Doping Centre.

(3) The establishment of violations, the issuance, appeal and enforcement of penalty decrees shall follow the procedure established by the Administrative Violations and Sanctions Act.

## **ADDITIONAL PROVISION**

### **§ 1.** Within the meaning given by this Act:

1. "Adapted physical activity" shall mean health-enhancing physical activities practised by people with limited abilities or health problems according to their interests and capabilities.
2. "High performance" shall mean athletes' top accomplishments manifested in winning prizes at European and world championships or Olympics Games, or in achieving results commensurate to world standards.
3. "Military-applied sports" shall mean sports that develop specific skills applicable to the needs of the Armed Forces and that contribute to increasing the level of training in the field of defence.
4. "A state sports calendar" shall mean a list of suitably timed sports competitions that has been adopted by the relevant sports federation.
5. (Amended, SG No. 96/2020, effective 1.01.2021) "Prohibited substances and prohibited methods" shall mean substances and methods specified in the current Prohibition List adopted by the World Anti-Doping Agency and the List under the Convention against the Use of Doping in Sport of the Council of Europe.
6. "An international sports calendar" shall mean a list of sports competitions expediently arranged in time and approved by an international sports federation.
7. "An Olympic Cycle" shall mean the period of time between two summer or two winter Olympics Games.
8. "A repeated violation" shall mean a violation committed within a year from the entry into force of a penalty decree whereby a sanction has been imposed on the liable person for the same type of violation.
9. "Professional athletes" shall mean persons performing systematic training and competition activities that constitute the athletes' main occupation and for which they are offered a remuneration.
10. "Related parties" shall mean:
  - (a) spouses, lineal relatives up to any degree, and collateral relatives up to and including the fourth degree of consanguinity;
  - (b) an employer and an employee;
  - (c) any two persons, of whom one participates in the management of the company of the other.

11. "Systematic violations" shall mean the perpetration of three or more violations over a period of two years for which sanctions have been imposed on the liable person by effective penal decrees.
12. "Sponsorship" shall mean a direct or indirect funding of athletes, sports organisations and sporting events provided by a natural or legal person with the purpose of promoting the person's name, brand or public prestige, the amount of the funds provided exceeding the market value of the advertised service in return.
13. "Amateur athletes" shall mean persons performing systematic training and competition activities that do not constitute the athletes' main occupation and/or for which they are not offered a remuneration.
14. "High-performance sport" shall mean a systematic, highly-intensive, science-based training and competition activity to achieve excellence by athletes.
15. "Sport for all" shall mean health-enhancing physical activity of individuals in their leisure time by a free choice of individual or organised practice of physical exercises and sports.
16. "Sporting events" shall mean various types of organised sports activities.
17. "Sports and tourism activities" shall mean health-enhancing physical activity of persons in their leisure time by a free choice of individual or organised outdoor practice of physical exercises and sports.
18. "Competition activities" shall mean a way to express an individual's motor and psychological abilities within the framework of established competition rules.
19. "A transfer" shall mean the remise of athletes' competition rights.
20. "Coaching services" shall mean the conduct or organisation of instruction, sport practices, training or competition activities.
21. "Physical activity" shall mean a purposeful (planned, structured and repeated) form of movement or physical exercise to enhance human health.
22. "Physical education" shall mean a process aimed at instructing, developing an individual's motor abilities, and acquiring skills and knowledge in the field of physical culture and sport.
23. "Fair play" shall mean ethical rules for the conduct of people directly or indirectly involved in the administration or practice of physical education and sports, with a view to ensuring personal dignity, creating a spirit of mutual respect among sportsmen and preventing bad behaviour in sports.

## **TRANSITIONAL AND FINAL PROVISIONS**

§ 2. (1) The Physical Education and Sports Act (promulgated, SG No. 58/1996; Judgment No. 8 of the Constitutional Court of 1997 – No. 53/1997; amended, No. 124/1998, Nos. 51 and 81/1999, No. 53/2000; amended, No. 55/2000; amended, No. 64/2000, No. 75/2002; Judgment No. 6 of the Constitutional Court of 2002 – No. 95/2002; amended, No. 120/2002, No. 96/2004, Nos. 88 and 103/2005, Nos. 30, 34, 36 and 80/2006, Nos. 41, 46 and 53/2007, No. 50/2008, No. 74/2009, Nos. 50 and 96/2010, Nos. 35 and 99/2011, Nos. 45, 87 and 102/2012, Nos. 15 and 68/2013, Nos. 21 and 66/2014, Nos. 14, 61, 79 and 101/2015, No. 43/2016, Nos. 91 and 96/2017, and No. 77/2018) shall be repealed.

(2) Any proceedings under the repealed Physical Education and Sports Act which have not been completed prior to the entry into force of this Act shall be completed under the procedure hitherto.

(3) (New, SG No. 35/2019) For the application of Article 125(3), the current account for external funds referred to in Article 59b of the repealed Physical Education and Sports Act shall be used.

(4) (New, SG No. 35/2019) For the transfer and spending of the funds available on the account referred to in Paragraph (3) on the date of entry into force of this Act, as well as for funds received after this

date in accordance with Article 14(3) of the Gambling Act, § 15, paragraph 3 of the Transitional and Concluding Provisions of the Public Finance Act shall apply.

**§ 3.** In Article 30, Paragraph 1 of the Higher Education Act (promulgated, SG No. 112/1995, No. 28/1996, No. 56/1997; amended, No. 57/1997; amended, No. 58/1997, Nos. 60, 66, 111 and 113/1999, No. 54/2000, No. 22/2001, Nos. 40 and 53/2002, Nos. 48 and 70/2004, Nos. 77, 83 and 103/2005, Nos. 30, 36, 62 and 108/2006, No. 41/2007, Nos. 13, 43 and 69/2008, Nos. 42, 74 and 99/2009, Nos. 38, 50, 56, 63 and 101/2010, Nos. 61 and 99/2011, Nos. 60 and 102/2012, Nos. 15, 63, 68 and 101/2013, Nos. 54, 66 and 107/2014, Nos. 56 and 79/2015, Nos. 17 and 98/2016, and Nos. 17 and 30/2018), an Item 15a shall be introduced:

"15a. shall decide on the establishment of a sports club under Article 43, Paragraph 1, Item 1 of the Physical Education and Sports Act and shall adopt rules for its organisation and activities".

**§ 4.** In the Tourism Act (promulgated, SG No. 30/2013; amended, Nos. 68 and 109/2013, No. 40/2014, Nos. 9, 14 and 79/2015, Nos. 20, 43, 59 and 75/2016, Nos. 58, 85 and 96/2017, and Nos. 37 and 77/2018), the following amendments and supplements shall be made:

1. In Article 7, Paragraph 2, an Item 12 shall be added, as follows:

"12. a representative of the National Organisation for Sports and Tourism Activities".

2. In Article 129, Paragraph 3, Item 1, Letter "e", the words "and the social tourism facilities referred to in Article 48a" shall be replaced by "under Article 9, Paragraph 1, Item 3".

**§ 5.** (1) Sports clubs shall bring their activities in conformity with the requirements of this Act within a year after its entry into force.

(2) A sports club that has not discharged its obligations under Paragraph (1) shall be deleted from the register referred to in Article 9, Paragraph 1, Item 1.

**§ 6.** (1) Licensed sports federations shall bring their activities in conformity with the requirements of this Act within a year after its entry into force.

(2) Within the term set in Paragraph (1), sports federations shall also submit to the Ministry of Youth and Sports the documents referred to in Article 21, Paragraph 1, Items 7, 8 and 10.

(3) A sports federation that has not discharged its obligations under Paragraphs (1) and (2) shall be deprived of its sports licence and shall be deleted from the register referred to in Article 9, Paragraph 1, Item 1.

(4) A sports federation that has discharged its obligations under Paragraphs (1) and (2) shall be granted a sports licence without term by the Minister of Youth and Sports or by an official empowered thereby.

**§ 7.** (1) United sports clubs shall bring their activities in conformity with the requirements of this Act within a year after its entry into force.

(2) A united sports club that has not discharged its obligations under Paragraph (1) shall be deleted from the register referred to in Article 9, Paragraph 1, Item 2.

**§ 8.** The Bulgarian Sport for All Association and the Bulgarian Student Sport Association licensed under the repealed Physical Education and Sports Act may apply for the issuance of a sports licence for multisport federations under the procedure provided for by this Act within a year as from its entry into force by bringing their statutes and internal rules in conformity with it within the same period.

**§ 9.** (1) The Minister of Youth and Sports shall bring the registers under the repealed Physical Education and Sports Act in conformity with this Act within three months after its entry into force.

(2) Secondary statutory instruments adopted prior to the entry into force of this Act shall be applied insofar as they do not run counter to it.

**§ 10.** The following amendments shall be made to the Act on Protection of Public Order upon Conduct of Sports Events (promulgated, SG No. 96/2004; amended, Nos. 103 and 105/2005, Nos. 30, 34, 80 and 82/2006, No. 53/2007, No. 69/2008, Nos. 12 and 32/2009, Nos. 19, 50 and 88/2010, No. 68/2013, No. 53/2014, and Nos. 10, 65 and 77/2018):

1. In Article 7a, Paragraph 1, the words "for which an act has been issued under the procedure" shall be replaced by "in conformity with the requirements".
2. In Article 9, Paragraph 1, the words "bring sports facilities in conformity with the requirements referred to in Article 47b, Paragraph 1 of the Physical Education and Sports Act and" shall be deleted.

**§ 11.** This Act shall become effective within three months after its promulgation in the State Gazette.

This Act was passed by the 44th National Assembly on 5 October 2018 and the official seal of the National Assembly was affixed thereto.

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#### TRANSITIONAL AND CONCLUDING PROVISIONS

to the Act Amending and Supplementing the Physical Education and Sports Act  
(SG No. 64/2019, effective 13.08.2019, supplemented, SG No. 85/2020, effective 18.01.2019)

§ 6. (Effective 18.01.2019 - SG No. 64/2019) (1) (Previous text of § 6, SG No. 85/2020, effective 18.01.2019) Children of Olympic medallists whose right to lifelong monthly bonus under Article 59b(2)(5) of the repealed Physical Education and Sports Act (promulgated, SG No. 58/1996; Decision No. 8 of the Constitutional Court of 1997 – SG No. 53/1997; amended, SG No. 124/1998, SG No. 51 и 81/1999, SG No. 53/2000; corrected, SG No. 55/2000; amended, SG No. 64/2000, SG No. 75/2002; Decision No. 6 of the Constitutional Court of 2002 – SG No. 95/2002; amended, SG No. 120/2002, SG No. 96/2004, SG No. 88 и 103/2005, SG No. 30, 34, 36 и 80/2006, SG No. 41, 46 и 53/2007, SG No. 50/2008, SG No. 74/2009, SG No. 50 и 96/2010, SG No. 35 и 99/2011, SG No. 45, 87 и 102/2012, SG No. 15 и 68/2013, SG No. 21 и 66/2014, SG No. 14, 61, 79 и 101/2015, SG No. 43/2016, SG No. 91 и 96/2017, SG No. 77/2018; repealed, SG No. 86/2018) has been terminated due to death before 18 January 2019 shall be entitled to monthly cash allowances referred to in Article 134(4) if they meet the requirements set out in Paragraph 1 or Paragraph 2 of Article 137. The cash allowances shall be granted in accordance with the procedure laid down in Paragraphs 3 to 6 of Article 137.

(2) (New, SG No. 85/2020, effective 18.01.2019) The right to monthly financial aid under Article 134, item 4 have also the children of the deceased Olympic medalists who have been receiving premium under the repealed Article 34a, Paragraph 2 of the Organisational rules of the "Bulgarian Sports Totaliser State Enterprise" (promulgated, SG No. 65/2000; amended, SG No. 17 and 54/2001, SG No. 9 and 74/2002, SG No. 32, 59 and 89/2005, SG No. 73/2009, SG No. 16 and 64/2010, SG No. 15/2011, SG No. 75/2013 and SG No. 62/2014). The receipt of the premium is certified by a document issued by the "Bulgarian Sports Totaliser State Enterprise" and the monthly financial aid is granted under the terms and according to the procedure in Paragraph 1.

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§ 9. This Act shall enter into force as of the day of its promulgation in State Gazette, with the exception of:



1. Paragraphs 1, 2 and 3, which shall enter into force as of 1 March 2020;
2. Paragraph 6, which shall enter into force on 18 January 2019.

#### TRANSITIONAL AND FINAL PROVISIONS

to the Act Amending and Supplementing the Physical Education and Sports Act  
(SG No. 96/2020, effective 1.01.2021)

§ 9. (1) The Act proceedings that have been initiated until the entry into force of this Act shall be completed in accordance with the hitherto effective procedure.

(2) (Effective 10.11.2020 - SG No. 96/2020) Any proceedings under Article 17 of the repealed Physical Education and Sports Act which have not been completed prior to the entry into force of this Act shall be completed under the new procedure.

§ 10. This Act shall force as of 1 January 2021, except for § 1 and § 9, Paragraph (2) which shall enter into force as of the date of its publication in the State Gazette.