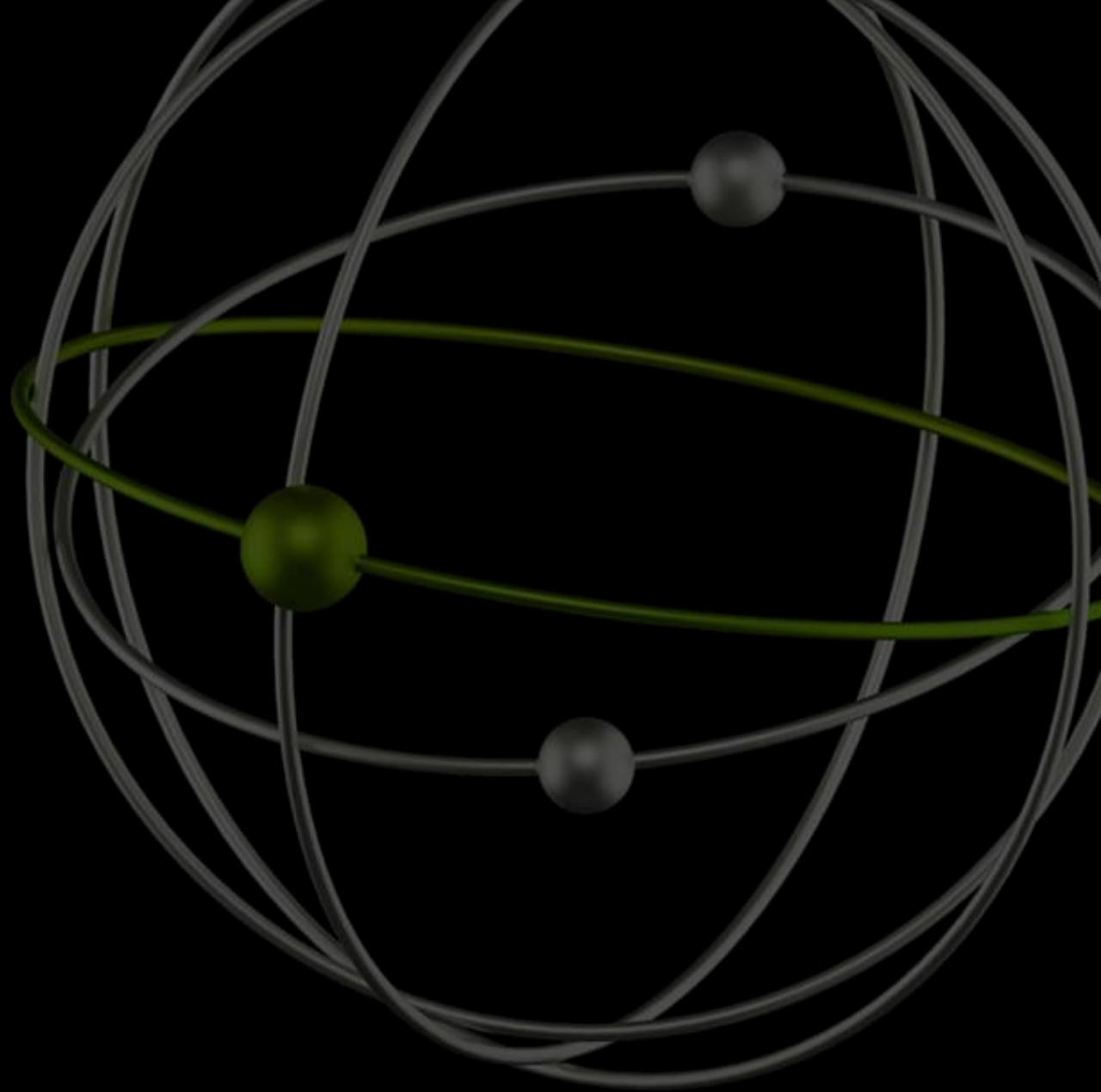


Legal Insights  
Let's Talk Law

# Content

- [Regulatory Compliance](#)
- [Banking & Finance](#)
- [Energy and Resources](#)
- [ESG](#)
- [Healthcare](#)
- [Contacts](#)
- [Enclosure](#)



- **Draft Bill amending and supplementing the Civil Aviation Act**

On 12.02.2024, a draft bill amending and supplementing the Civil Aviation Act was submitted to the National Assembly, which aims to harmonize the national regulations with the legislation of the European Union in this area. The amendments include changes related to aviation security, administrative service fees and administrative penalty provisions.

---

- **Draft Bill amending and supplementing the Electronic Communications Networks and Physical Infrastructure Act**

On 06.02.2024 a draft bill amending and supplementing the Electronic Communications Networks and Physical Infrastructure Act was published in the Council of Ministers' portal for public consultations. The proposed changes, on the one hand, are intended to improve the procedures for planning and building digital networks and to encourage the investment process, and on the other hand, to guarantee the implementation of the investments set out in the Recovery and Resilience Plan.

---

- **Draft Bill amending and supplementing the Bulgarian Personal Documents Act**

On 14.02.2024 a draft bill amending and supplementing the Bulgarian Personal Documents Act was submitted to the National Assembly. The draft bill proposes that the Ministry of Internal Affairs (MIA) should not store data on the fingerprints of the persons that they have given when applying for Bulgarian personal documents, unless the persons expressly give their consent.

- **Ordinance amending and supplementing Ordinance No. H-9 of 2020 on the terms and conditions for entry in the register of persons who, by occupation, provide exchange services between virtual currencies and recognized currencies without gold cover, and of wallet providers who offer custodial services**

In State Gazette, No. 16 of 23.02.2024 Ordinance amending and supplementing Ordinance No. H-9 of 2020 on the terms and conditions for entry in the register of persons who, by occupation, provide exchange services between virtual currencies and recognized currencies without gold cover, and of wallet providers who offer custodial services (the Ordinance) was promulgated. The obliged persons mentioned in the Ordinance should be registered in a register under Art. 9 of the Measures Against Money Laundering Act (MAMLA). The amendments are related to legal and technical revision of the Ordinance in order to comply with the MAMLA. The Ordinance enters into force on 20.03.2024.

- **Ordinance No. H-1 of 6.02.2024 on the terms and conditions for entering persons in the register under Art. 9b of the Measures Against Money Laundering Act**

In State Gazette, No. 14 of 16.02.2024 Ordinance No. H-1 of 6.02.2024 on the terms and conditions for entering persons in the register under Art. 9b of the Measures Against Money Laundering Act (MAMLA) was promulgated. The Ordinance determines the conditions and procedure for registration in the public register under Art. 9b of the MAMLA of the persons who, by occupation, provide the activities under Art. 4, item 16 of the MAMLA. Such are, for example, persons that, by way of their business, provide a registered office address, correspondence address, business accommodation and/or other related services for the purposes of the registration and/or operation of a legal person or other legal entity; services comprising the formation, registration, organisation of the operation and/or management of a merchant or of another legal person, or other legal entity; etc.

- **Draft amendments to the Ordinance on the order and manner of informing employees and granting and paying guaranteed receivables in the event of the employer's insolvency**

On 16 February 2024 draft amendments to the Ordinance on the order and manner of informing employees and granting and paying guaranteed receivables in the event of the employer's insolvency were published in the Portal for public consultations of the Council of Ministers. With the proposed changes in the case of insolvency of an employer, the requirements to prove facts and circumstances and to provide documents for which the National Insurance institute may collect evidence ex officio are removed. The changes aim to ensure efficiency and speed in administrative proceedings and to reduce the administrative burden at submission of applications by the persons who have the right to receive secured claims in insolvency of an employer.

- **New Bulgarian National Bank Act**

In State Gazette, No. 13 of 13.02.2024 the new Bulgarian National Bank Act was promulgated. The amendments are mainly in connection with the adoption of the euro in Bulgaria and will enter into force on the day specified in the Decision of the Council of the European Union on the adoption of the euro by Bulgaria. The amendments regulate the status of the euro as a monetary unit, determining the design of the national side of euro exchange coins, issuing and withdrawing from circulation, exchange and reproduction of euro banknotes and coins.

- **Ordinance amending and supplementing Ordinance No. 2 of 2006 on licenses, approvals and permits issued by the Bulgarian National Bank under the Credit Institutions Act**

In State Gazette, no. 12 of 02.09.2024 amendments to Ordinance No. 2 of 2006 on the licenses, approvals and permits issued by the Bulgarian National Bank under the Credit Institutions Act were promulgated. The main purpose of the amendments is to regulate the procedure for implementing the possibility provided for in Art. 26, paragraph 3, para. 2 of Regulation (EU) No. 575/2013.

- **Ordinance amending and supplementing Ordinance No. 20 of 2019 on the requirements for the members of the management boards of a credit institution, as well as for assessing their suitability and the persons occupying key positions**

In the State Gazette, no. 12 of 02.09.2024 amendments to Ordinance No. 20 of 2019 on the requirements for the members of the management boards of a credit institution, as well as for assessing their suitability and the persons holding key positions were promulgated. The main purpose of the amendments is to ensure the implementation of the Guidelines on policies and procedures related to the management of regulatory compliance and the role and responsibilities of the officer responsible for regulatory compliance in relation to measures against money laundering/ measures against financing of terrorism, according to Article 8 and Chapter VI of the Directive (EU) 2015/849 (EBA/GL/2022/05)

- **Draft bill amending and supplementing the Financial Collateral Arrangements Act**

With its decision from 22 February 2024, the Council of Ministers approved a draft bill amending and supplementing the Financial Contracts Collateral Arrangements Act (the Bill). The Bill was submitted to the National Assembly on 28.02.2024. The Bill introduces into the national legislation general regulation of the mechanism of the final netting, as means of termination and/or repayment of obligations arising from transactions with financial instruments between financial market participants. The proposed legislation aims to create a regime to protect the final netting which corresponds to good international practices in financial markets and removes competitive shortcomings of the Bulgarian legislation in relation to the legislation of other EU member states and member states of the Organization for Economic Co-operation and Development cooperation and development.

- **Draft Ordinance amending and supplementing Ordinance No. 1 of 14.03.2017 on regulation of electricity prices**

On 19.02.2023 a draft Ordinance amending and supplementing Ordinance No. 1 of 14.03.2017 on regulation of electricity prices (the Ordinance) was published in the Council of Ministers' portal for public consultations.

With the Act amending and supplementing the Energy Act promulgated in SG issue 96 of 2023, essential changes were introduced aiming to achieve full liberalization of the wholesale electricity market in conservation of household consumers on a regulated market until 2026. The figure "public electricity supplier" has been abolished, effective as of 1 July 2024, an estimated monthly availability for production of electricity of the producers from which the public supplier is to buy electricity is determined, and in compliance with the amount of this electricity the public supplier is to make deals with end suppliers.

The proposed changes to the Ordinance are aimed at bringing it in line with the above amendments and supplements to the Energy Act. In this regard, a number of provisions have been amended and supplemented, and others have been repealed. A completely new chapter was also created - "Chapter second "a" Determination of the component of the price for the activity "electricity supply from final supplier" and of compensations for household end customers.



- **Draft Bill amending and supplementing the Climate Change Mitigation Act**

On 12.02.2024 a draft bill amending and supplementing the Climate Change Mitigation Act was submitted to the National Assembly. It introduces the requirements of Regulation (EU) 2023/956. Procedures for the implementation of the Carbon Border Adjustment Mechanism (CBAM) at national level are also determined - the order for submitting and considering an application for obtaining the status of an approved declarant under the CBAM, as well as the competent authority that approves or withdraws the status of an approved declarant under the terms of the regulation should be appointed.

---

- **Amendments to the Medicinal Products in Human Medicine Act**

In State Gazette, No. 16 of 23.02.2024 amendments to the Medicinal Products in Human Medicine Act were promulgated. The Drug agency is obligated to report daily to the National Council on pricing and reimbursement of medicinal products (NCPRMP) the code of the products under Art.4 letter “b” p. I of the Delegated Regulation (EU) 2016/161. The NCPRMP must ensure connection of the national number for identification of the drug medicine with code of the product according to the Positive Drug List.

---

## Editorial team Contacts



Zvezdelina Filova

Managing Partner,  
Attorney-at-law

[zfilova@deloittece.com](mailto:zfilova@deloittece.com)



Irena Koleva CIPP/E

Senior Associate,  
Attorney-at-law

[ikoleva@deloittece.com](mailto:ikoleva@deloittece.com)



Serafim Stoynovski

Lawyer

[sstoynovski@deloittece.com](mailto:sstoynovski@deloittece.com)



Aleksandar Aleksandrov

Lawyer

[alaleksandrov@deloittece.com](mailto:alaleksandrov@deloittece.com)

### Deloitte Legal Law Firm

Balkan Business Center, 4 Mihail Tenev  
Str., Mladost district  
Sofia 1784  
Bulgaria

Tel: +359 (2) 80 23 300  
Fax: +359 (2) 80 23 350  
[www.deloitte.bg](http://www.deloitte.bg)

**Enclosure**

# The New Whistleblowers Protection Act



## The New Whistleblowers Protection Act

The Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons reporting on breaches of Union law (the “Directive”) was adopted on 23 October 2019 and entered into force on 16 December 2019.

It aims to protect whistleblowers who report on breaches of EU law in various areas, such as public procurement, money laundering, product safety, environmental protection, and public health.

Bulgaria has implemented the provisions of the Directive into the national legislation by adoption of the Act on Protection of Persons Who Report or Publicly Disclose Information on Breaches (the “Whistleblowers Protection Act”), which was promulgated in the State Gazette, No 11 from 2.02.2023, and entered into force on 4 May 2023.

The scope of the Act has been expanded compared to the Directive, adding areas missing from the Directive, among which violations of Bulgarian labour legislation.

## Our services include:



- Preparation of internal rules and policies
- Assistance in defining criteria for prioritizing signals
- Assistance in preparing the register of signals
- Assistance in the preparation of an act for determining the procedure for keeping the register of signals
- Assistance in determining the employee responsible for reviewing the signals in the organization, as well as preparation of documents of the relations between him/her and the company
- Advice on the lawful processing of personal data of whistleblowers and other affected individuals and assistance in preparing the necessary documentation under the GDPR
- Advice on the protection of confidential information and trade secrets and assistance in the preparation of the necessary documentation, e.g. confidentiality agreements
- Training of staff, practically aimed at getting acquainted with the requirements of the Whistleblowers Protection Act, internal acts of the organization and their impact in daily work

- Legal assistance to clients in negotiating and arranging contractual relations with subcontractors engaged in receiving and registering signals
- Provision of the "internal reporting channel" service, including the functions of receiving and registering reports of breaches
- Assisting the officer responsible for handling signals in the organization in the performance of his/her tasks provided for in the Whistleblowers Protection Act
- Analysis and assessment of the compliance of the internal reporting channel introduced in the organization with the requirements of the applicable legislation
- Assistance in communication with the Commission for Personal Data Protection
- Legal assistance and representation in connection with sanctions, complaints and lawsuits brought by/against the organization

*\*The provision of services is pursuant to the completion of our internal risk, client and engagement acceptance procedures.*

## Contacts:



**Zvezdelina Filova**  
Managing Partner  
Attorney-at-law  
[zfilova@deloittece.com](mailto:zfilova@deloittece.com)



**Miglena Micheva**  
Senior Managing Associate | Attorney-at-law  
CIPP/E | CIPM | FIP  
[mmicheva@deloittece.com](mailto:mmicheva@deloittece.com)



**Irena Koleva**  
Senior Associate | Attorney-at-law | CIPP/E  
[ikoleva@deloittece.com](mailto:ikoleva@deloittece.com)



**Kristian Nemtsov**  
Senior Associate | Attorney-at-law  
[knemtsov@deloittece.com](mailto:knemtsov@deloittece.com)

**Deloitte Legal Law Firm**  
Str "Mihail Tenev" No. 4, BBC  
Sofia 1784

Phone: + 359 (2) 8023 300  
<http://www.deloitte.bg>

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited (DTTL), its global network of member firms, and their related entities (collectively, the "Deloitte organization"). DTTL (also referred to as "Deloitte Global") and each of its member firms and related entities are legally separate and independent entities, which cannot obligate or bind each other in respect of third parties. DTTL and each DTTL member firm and related entity is liable only for its own acts and omissions, and not those of each other. DTTL does not provide services to clients. Please see [www.deloitte.com/about](http://www.deloitte.com/about) to learn more.

This communication contains general information only, and none of Deloitte Touche Tohmatsu Limited („DTTL“), its global network of member firms or their related entities (collectively, the "Deloitte organization") is, by means of this communication, rendering professional advice or services. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser. No representations, warranties or undertakings (express or implied) are given as to the accuracy or completeness of the information in this communication, and none of DTTL, its member firms, related entities, employees or agents shall be liable or responsible for any loss or damage whatsoever arising directly or indirectly in connection with any person relying on this communication. DTTL and each of its member firms, and their related entities, are legally separate and independent entities.



#### **About Deloitte**

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited (“DTTL”), its global network of member firms, and their related entities (collectively, the “Deloitte organization”). DTTL (also referred to as “Deloitte Global”) and each of its member firms and related entities are legally separate and independent entities, which cannot obligate or bind each other in respect of third parties. DTTL and each DTTL member firm and related entity is liable only for its own acts and omissions, and not those of each other. DTTL does not provide services to clients. Please see [www.deloitte.com/about](http://www.deloitte.com/about) to learn more.

Deloitte Legal means the legal practices of DTTL member firms, their affiliates or their related entities that provide legal services. The exact nature of these relationships and provision of legal services differs by jurisdiction, to allow compliance with local laws and professional regulations. Each Deloitte Legal practice is legally separate and independent, and cannot obligate any other Deloitte Legal practice. Each Deloitte Legal practice is liable only for its own acts and omissions, and not those of other Deloitte Legal practices. For legal, regulatory and other reasons, not all member firms, their affiliates or their related entities provide legal services or are associated with Deloitte Legal practices.

This communication contains general information only, and none of Deloitte Touche Tohmatsu Limited (“DTTL”), its global network of member firms or their related entities (collectively, the “Deloitte organization”) is, by means of this communication, rendering professional advice or services. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser.

No representations, warranties or undertakings (express or implied) are given as to the accuracy or completeness of the information in this communication, and none of DTTL, its member firms, related entities, employees or agents shall be liable or responsible for any loss or damage whatsoever arising directly or indirectly in connection with any person relying on this communication. DTTL and each of its member firms, and their related entities, are legally separate and independent entities.

© 2024. For information, contact Deloitte Bulgaria.