

# **Civil Aviation Act**

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## **Chapter One**

### **GENERAL PROVISIONS**

#### **Article 1**

*(Last Amendment, SG No. 85/1998)*

This Act shall govern all public relations pertaining to civilian air navigation in the Republic of Bulgaria as well as to ensuring its safety and security.

#### **Article 2**

(1) *(Last Amendment, SG No. 85/1998)* The Republic of Bulgaria shall have complete, exclusive and irrevocable sovereignty over the airspace above its territory, inclusive of its inland and territorial waters.

(2) *(Last Amendment - SG No. 87/2025)* The Council of Ministers shall designate the airspace zones wherein aerial navigation may be prohibited or restricted.

(3) *(New - SG No. 87/2025)* Paragraph 2 shall not apply to the controlled airspace structures for temporarily separated areas, reserved areas, restricted areas, danger areas and ad-hoc danger areas at the tactical level.

(4) *(New - SG No. 87/2025)* The conditions and procedure for determining the controlled airspace structures for the areas under paragraph 3 shall be determined by the regulation under Article 2a, paragraph 2.

#### **Article 2a**

*(Last Amendment - SG No. 87/2025)*

(1) *(Last Amendment - SG No. 87/2025)* The organisation and supervision of the usage of civil airspace, as well as the air traffic management and control over the airspace of the Republic of Bulgaria served, shall be governed by procedures as laid down by the Minister of Transport and Communications.

(2) *(Last Amendment - SG No. 87/2025)* The Minister of Transport and Communications, in coordination with the Minister of Defence, shall determine by ordinance the conditions and procedure for the introduction and the rules for the operation of the unified system for civil and military airspace management.

(3) *(Last Amendment - SG No. 87/2025)* The Minister of Transport and Communications and the Minister of Defence shall stipulate the rules and procedures for using the airspace in a state of emergency, martial law and / or war.

#### **Article 3**

*(Last Amendment, SG No. 85/1998)*

(1) Civil aerial navigation shall be any flying performed by civilian aircraft and intended for:

1. carriage of passengers, baggage, cargo and mail by air;
2. providing services to agriculture, forestry and other sectors of economy;
3. geological and geographic exploration and other scientific research;
4. giving emergency medical attention and/or medical evacuation;

5. cultural and educational purposes, aerial photography and advertising;
6. fire-fighting, flood-control, response to other disasters, rescue and relief operations;
7. flight training, sports, etc.

(2) Civilian aircraft shall be all non-governmental planes.

#### **Article 4**

*(Last Amendment, SG No. 85/1998)*

Applicable on board every aircraft registered in the Republic of Bulgaria shall be the laws of Bulgaria, unless otherwise provided in an international agreement that has been ratified, promulgated and put in force.

#### **Article 5**

*(Last Amendment, SG No. 85/1998)*

(1) Every aircraft engaged in civilian navigation shall be registered under this Act.

(2) Every aircraft entered in the Republic of Bulgaria's Civilian Aircraft Register shall bear the distinctive nationality and registration marks of the Republic of Bulgaria.

(3) Civilian aircraft used for sanitary purposes shall additionally bear the Red Cross emblem.

(4) *(Last Amendment, SG No. 52/2004)* The Minister of Transport and Communications shall issue an ordinance to prescribe the procedure of defining and application of registration marks (insignia).

#### **Article 6**

*(Last Amendment, SG No. 81/2011)*

(1) *(Last Amendment, SG No. 81/2011)* Bulgarian airline operators shall be required to perform commercial operations with aircraft both domestically and abroad under commercial contracts, and in the absence of such contracts — under such terms and procedures as stipulated in a regulation enacted by the Minister of Transport and Communications.

(2) *(Last Amendment, SG No. 81/2011)* Foreign airline operators shall be granted the privilege of operating commercial operations with aircraft in this country pursuant to an international agreement whereto the Republic of Bulgaria is a contracting state, and in the absence of such agreement — under such terms and procedures as stipulated by the Minister of Transport and Communications in a special regulation.

#### **Article 7**

(1) *(Last Amendment, SG No. 52/2004)* International air carriage of passengers, baggage, cargo and mail on a scheduled service basis shall be performed by Bulgarian and international air carriers in compliance with such international treaties to which the Republic of Bulgaria is a signatory.

(2) *(Last Amendment - SG No. 87/2025)* The appointment of a Bulgarian air carrier shall be effected by force of bilateral or multilateral international treaties by order of the Minister of Transport and Communications.

(3) *(Last Amendment - SG No. 87/2025)* Unless otherwise provided by force of an international treaty to which the Republic of Bulgaria is a signatory, no monopoly market position shall be allowed to an air carrier on a scheduled air traffic line. When an international agreement contains restrictions on the number of Bulgarian air carriers, on the frequencies of operation of the route or on the capacity offered, the selection is made by the Minister of Transport and Communications on the basis of a competition. The terms, conditions and procedure of organizing a public tender for access to the air carrier market shall be prescribed by an ordinance of the Minister of Transport and Communications.

(4) *(New - SG No. 87/2025)* When only one candidate has applied for participation in the competition under paragraph 3 for a given line, the appointment shall be made under the conditions and in accordance with the procedure of the ordinance under paragraph 3.

**Article 8**

*(Last Amendment - SG No. 87/2025)*

(1) *(Last Amendment - SG No. 87/2025)* The Minister of Transport and Communications conducts the state policy in the field of civil aviation.

(2) *(Last Amendment - SG No. 87/2025)* The regulatory and control functions in the field of civil aviation are performed by the General Directorate "Civil Aviation Administration. The "Civil Aviation Administration" Directorate General shall be a juristic person budgeted by the Ministry of Transport and Communications and domiciled in the city of Sofia.

(3) *(Last Amendment - SG No. 87/2025)* The Minister of Transport and Communications shall enact Rules and Regulations prescribing the structure, tasks and functions of the "Civil Aviation Administration" Directorate General.

(4) *(Last Amendment - SG No. 16/2021)* The Directorate General "Civil Aviation Administration" shall be the competent authority under Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency and amending Regulations (EC) No 2111/2005 (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30 / EU and 2014/53 / EU of the European Parliament and of the Council and repealing Regulations EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212/1 of 22 August 2018) Regulation (EC) 2018/1139, as well as the implementing regulations and delegated regulations adopted on its basis and their rules for implementation.

(5) *(Last Amendment - SG No. 87/2025)* General Directorate "Civil Aviation Administration" is the competent authority for the implementation of Regulation (EU) N<sup>o</sup> 376/2014 of the European Parliament and of the Council of 3 April 2014 on reporting, analysis and follow-up of civil aviation events, amending Regulation (EU) N<sup>o</sup> 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42 / EC of the European Parliament and of the Council and Commission Regulations (EC) N<sup>o</sup> 1321/2007 and (EC) N<sup>o</sup> 1330/2007 ( OJ L 122/18 of 24 April 2014), hereinafter "Regulation (EU) N<sup>o</sup> 376/2014" including an authority under Article 16(12) of the Regulation.

(6) *(New - SG No. 87/2025)* The Directorate General of Civil Aviation Administration is the competent authority for the implementation of Regulation (EU) 2023/2405 of the European Parliament and of the Council of 18 October 2023 on ensuring a level playing field for sustainable air transport (ReFuelEU initiative - Aviation sector) (OJ L 2023/2405 of 31 October 2023), hereinafter referred to as "Regulation (EU) 2023/2405".

**Article 9**

*(Repeal, SG No. 30/1990)*

**Article 10**

*(Last Amendment, SG No. 81/2011)*

(1) *(Last Amendment, SG No. 81/2011)* Aircrafts may be leased subject to written leasing contracts, domestically as well as internationally, with or without crew after approval by the Director of the Civil Aviation Administration Directorate General.

(2) *(Last Amendment, SG No. 81/2011)* The Director of the Civil Aviation Administration Directorate General shall review the applications under par. 1 within ten days after submission, and in cases where a Bulgarian airline operator leases to a foreign airline operator an aircraft under a dry leasing contract and no deletion of the aircraft from the Civilian Aircraft Register of the Republic of Bulgaria is envisaged – the term shall be 20 days.

(3) *(Repeal, SG No. 81/2011).*

(4) *(Repeal, SG No. 81/2011).*

(5) *(Repeal, SG No. 81/2011).*

(6) *(Repeal, SG No. 81/2011).*

(7) *(Repeal, SG No. 81/2011).*

(8) *(Repeal, SG No. 81/2011).*

(9) *(Repeal, SG No. 81/2011).*

(10) *(Repeal, SG No. 81/2011).*

(11) *(Repeal, SG No. 81/2011).*

(12) *(New, SG No. 37/2006, repeal, SG No. 66/2008, in force as of 16.07.2008)*

(13) *(Last Amendment, SG No. 81/2011)* The Minister of Transport and Communications shall issue an ordinance regarding the requirements for entry into a leasing contract in respect of an aircraft.

#### **Article 10a**

*(Last Amendment - SG No. 87/2025)*

The common rules in the area of civil aviation security shall be governed by *REGULATION (EC) No 300/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 (OJ L 97/72, 9.4.2008)* hereinafter referred to as 'Regulation (EC) No 300/2008'.

#### **Article 11**

*(Last amendment - SG No. 63/2010)*

(1) Passengers, crews, baggage, cargo, mail and consignments shall be subject to inspection with a view to ensuring security and safety of flight.

(2) *(Last amendment - SG No. 63/2010)* The terms and conditions for ensuring the security of civilian aerial navigation shall be determined by measures and procedures specified in detail in the National Programme for Civil Aviation Security.

(3) *(New - SG No. 63/2010)* The National Programme for Civil Aviation Security shall be affirmed by the Director-General of the Civilian Aviation Administration Directorate-General in concert with the co-chairmen of the Civil Aviation Security Council.

#### **Article 12**

*(Last Amendment, SG No. 81/2011)*

The provisions of this Act shall be applicable to:

a) Bulgarian civilian air navigation, as well as to foreign civilian flying in all cases stipulated by law;

b) *(Last Amendment, SG No. 81/2011)* all aircraft recorded in the Republic of Bulgaria's Civilian Aircraft Register, inclusive of the time while outside national territory, as well as to sports and training aircraft;

c) *(Last Amendment, SG No. 85/1998)* governmental aircraft when flying under the control and guidance of civilian air-traffic controllers.

#### **Article 13**

Property rights in aircraft shall be settled in accordance with the laws of the state in which an aircraft is registered.

#### **Article 14**

*(Last Amendment, SG No. 85/1998)*

The form and the validity terms of any deed embodying transfer of title to an aircraft shall be governed by the laws of the country where such deed is executed.

#### **Article 15**

Fees for assistance (service) rendered by and to an aircraft shall be stipulated by the law of the assisting aircraft's state of registry.

#### **Article 16**

*(Last Amendment, SG No. 85/1998)*

All natural and artificial persons engaged in civilian aircraft operation, airport administration, or civilian air traffic services shall be required to submit to the Ministry of Transport and Communications updated statistics about their operations under such terms and procedures as laid down by the Minister of Transport and Communications.

#### **Article 16a**

*(Last Amendment - SG No. 87/2025)*

(1) *(Last Amendment - SG No. 87/2025)* The Minister of Transport and Communications shall be vested with the administration and supervision of civilian aerial navigation, wherefore he shall:

1. organise the Republic of Bulgaria's participation in all international civil aviation organisations of which this country is a member;
2. *(Repeal - SG No. 16/2021)*
3. *(Last Amendment, SG No. 52/2004)* co-ordinate the issuance of building permits for the construction of facilities and installations making up the infrastructure of air navigation;
4. *(Repeal, SG No. 52/2004)*
5. *(Repeal, SG No. 63/2010);*
6. *(Last Amendment - SG No. 16/2021)* establish norms and rules in the field of civil aviation, inclusive of the terms and procedures for the carriage of dangerous freight;
7. *(Last Amendment - SG No. 16/2021)* prescribe by ordinances the terms, conditions and procedure of the issuance, amendment, restriction, suspension and withdrawal of certificates, permits, certificates, licenses and examination of declarations;
8. lay down the terms of keeping the appropriate registers and maintaining a data base on all certified facilities, installations and persons;
9. *(Last Amendment - SG No. 96/2017, in force as of 03.01.2018)* supervise the administration of airports open to public use for which no concession has been awarded;
10. *(Last Amendment, SG No. 37/2006)* issue an ordinance determining the general rules of compensating and assisting passengers in the event of refusal by an air carrier to admit them aboard an aircraft and in the case of flight cancellation or delay;
11. *(Last Amendment - SG No. 87/2025)* define, by way of an ordinance the general rules of introduction and use of computerized booking systems;
12. exercise such other powers as stipulated by law or in an international agreement to which the Republic of Bulgaria is a signatory.
13. *(New, SG No. 52/2004)* approve the investment programs proposed by legal entities using proceeds from fees as per Article 120;
14. *(New, SG No. 52/2004)* issue an ordinance determining the working hours of the licensed flight personnel.
15. *(Repeal - SG No. 87/2025)*
16. *(Last Amendment, SG No. 81/2011)* issues an ordinance stipulating the rules regarding dock inspection of aircrafts not included in the Civilian Aircraft Register, taking-off from and landing at airports on the territory of the Republic of Bulgaria.

17. (*New, SG No. 10/2007*) issues an ordinance stipulating the rules and procedures regarding the introduction of operational restrictions.
18. (*New - SG No. 16/2021*) determines by an ordinance the conditions and the order for reporting, analysis and subsequent actions in connection with events in the civil aviation;
19. (*New - SG No. 16/2021*) in coordination with the Minister of Interior and with the Chairman of the State Agency "National Security" shall determine by an ordinance the conditions and the order for operation of unmanned aerial vehicles.

### **Article 16b**

*(Last Amendment - SG No. 87/2025)*

- (1) The Civil Aviation Administration Directorate General shall perform regulatory and control functions on behalf of the State for ensuring air transport security and safety, by:
  1. performing the functions of a civil aviation administration in compliance with international treaties in the area of civil aviation to which the Republic of Bulgaria is a signatory;
  2. (*Last Amendment - SG No. 16/2021, in force as of 25.02.2022*) controlling civil aviation, civil airports, civil aircraft, air navigation and other facilities related to civil aviation on the territory of the country, regardless of their ownership;
    - 2a. (*New - SG No. 16/2021*) organizes and coordinates the use of airspace for the needs of civil aviation;
  3. (*Last Amendment - SG No. 87/2025*) controlling and enforcing compliance with this Act, with the relevant bylaws and with the applicable regulations of the European Union by issuing instructions with binding force in all cases as provided by law;
    - 3a. (*Last Amendment - SG No. 87/2025*) issuing and implementing the National Program for Civilian Aviation Security;
  4. supervising the activities of natural persons and legal entities pertinent to civilian air traffic security and safety;
    - 4a. (*New, SG No. 66/2008, in force as of 26.07.2008*) controlling performance of the obligations of airport operators and air carriers under European Parliament and Council Regulation N<sup>o</sup> 1107/2006 (EC) concerning the rights of disabled persons and persons with reduced mobility when travelling by air, further herein to be referred to as Regulation N<sup>o</sup> 1107/2006 (EC), in its capacity as the national authority responsible for compliance with said Regulation.
  5. (*Last Amendment - SG No. 87/2025*) keeps and maintains:
    - a) a register of civil aircraft of the Republic of Bulgaria under Art. 20;
    - b) an electronic system for registration of operators of unmanned aerial systems under item 18;
    - c) a register of air carriers with a valid Community air carrier operating licence;
    - d) a register of licences of organisations for maintenance and repair of aviation equipment;
    - e) registers of airports under Art. 43, para. 2;
    - f) a register of issued licences for airport operator and ground handling or self-handling operator;
    - g) a register of issued certificates/permits of aviation operators;
    - h) a register of persons to whom a certificate has been issued under Art. 119f;
    - i) a register of certificates of competency of persons from the aviation personnel;
  6. (*Last Amendment - SG No. 82/2012, in force as of 26.11.2012*) coordinate spatial development plans including land plots designated for airfields, and investment projects for the constructions of facilities in the vicinity of airfields and the surrounding areas within the perimeter of the legally provided service zones and zones of impact, as well as of the flight paths and air corridors, for purposes of ensuring air traffic security and safety;
  7. (*Last Amendment - SG No. 87/2025*) investigate incidents involving aircraft in the territory of the Republic of Bulgaria or issue instructions for such investigations to be performed by the relevant air carrier, airline operator, airport administration or air navigation service

provider; and, following completion of the investigation, shall notify the National Air, Water and Rail Accident Investigation Board as per Article 16g of the results thereof;

7a. (*New - SG No. 16/2021*) establish rules for the independent collection, evaluation, processing, analysis and storage of event information in accordance with Regulation (EU) No 376/2014;

8. make proposals for bylaws in the area of civil aviation to be issued by the Minister of Transport, Information Technology and Communications;

9. implement coordination between government agencies and legal entities engaged in air navigation in pertinence to flight security and safety;

10. (*Repeal - SG No. 63/2010*);

11. (*Last amendment - SG No. 63/2010*) maintaining centralized database and issuing identification documents of air-crew members and ground passes to persons performing their official duties within the security zones after such persons have passed a thorough reliability check-up by the State Agency for National Security, as well as to motor vehicles, as necessary for access to the security zones of civilian airports for public use;

12. supervise the implementation of requirements for simplifying passenger service procedures, the processing and servicing of aircraft, luggage, cargo and mail;

13. supervise the performance by legal entities of the functions assumed as an obligation by the State by force of international treaties and in conformity with the applicable standards, regulations and categories relevant to the performance of air navigation;

14. issue instructions on deferral of take-off of aircraft in cases as provided by law;

15. organize the collection, updating and provision of specialized data in respect of facilities as per Article 32 (1), item 1 of the Cadastre and Property Register Act and the production of specialized maps, registers and information databases;

16. collect fees and charges in all cases as provided by law;

17 (*Last Amendment - SG No. 87/2025*) perform any other functions as provided by law and applicable European Union legislation.

18. (*New - SG No. 16/2021*) creates and maintains an electronic system for:

(a) registration of drone operators;

(b) electronic submission of documents related to the activities of unmanned aerial vehicle operators;

(c) certificates of competency for remote pilots;

(d) geographical areas with operational conditions for unmanned aerial vehicles.

19. (*New - SG No. 87/2025*) supervises the implementation of acceptable means of compliance and guidance materials issued by the European Union Aviation Safety Agency (EUASA), and in coordination with EUASA approves the implementation of alternative means of compliance.

(2) (*Last Amendment, SG No. 81/2011*) The control functions of the Civil Aviation Administration Directorate General shall be performed by air navigation inspectors appointed by an order of the Director of the Civil Aviation Administration Directorate General.

(3) The inspectors shall be entitled to:

1. free and unlimited access to entities and facilities within their jurisdiction for purposes of performing inspections of air navigation safety and security;

2. (*Last Amendment - SG No. 89/17.11.2015*) access to all the documents directly or indirectly relevant to a breach of this Act or of the legislation of the EU Member States transposing the requirements of Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 hereinafter Regulation (EC) No 261/2004 regardless of the form of the document;

3. (*New, SG No. 105/2006*) order any person to provide information on a breach as per Item 2, that he knows of;

4. *(Last Amendment - SG No. 87/2025)* require from the respective officials any and all relevant data, documents, reports, explanations, operational and any other information, including such as concerns the professional competence of personnel, as well as any other information pertinent to compliance with the applicable legislation in the area of air navigation;

5. *(Former pt. 3, SG No. 105/2007)* issue penal orders in the event of administrative violations of this Act;

6. *(Former pt. 4, SG No. 105/2007)* issue written instructions with binding force with a view to ensuring compliance with the applicable bylaws in the area of air navigation and the security and safety of civil aviation, whereby they shall prescribe that established violations or irregularities pertinent to flight safety be rectified within a certain time limit;

7. *(Last Amendment - SG No. 16/2021)* issue proposals on the suspension, revocation, withdrawal or restriction of rights ensuing from licenses, permits, documents, certificates and approvals as issued.

8. *(New - SG No. 87/2025)* to order the taking of a sample for the use of a psychoactive substance from persons related to ensuring safety in civil aviation.

*(4) (Last Amendment, SG No. 81/2011)* The inspectors shall issue written statements of fact to reflect the findings of such inspections, to which all collected evidence shall be appended. The statement of fact shall then be presented to the entity subject to the inspection, which shall have the right to issue explanations or objections at the moment of receipt of the said statement of fact.

*(5) (New - SG No. 89/17.11.2015)* Directorate General "Civil Aviation Administration" shall control the performance of obligations of air carriers under Regulation (EC) No 261/2004, in its capacity of national authority responsible for the implementation of this Regulation.

*(6) (Former Par. 5 - SG No. 89/17.11.2015)* Based upon the findings of such inspections, the Director of the Civil Aviation Administration Directorate General shall impose administrative sanctions, or shall suspend, revoke, withdraw or restrict the rights ensuing from licenses, permits, certificates and approvals as issued, and has the right to:

1. *(New, SG No. 105/2006)* order the offender in writing to discontinue the breach as per Item 2 of Paragraph 3;

2. *(New, SG No. 105/2006)* require from the offender to make a statement that he will discontinue the breach as per Item 2 of Paragraph 3 and, if necessary, oblige him to disclose the statement in the public domain;

3. *(New, SG No. 105/2006)* order the termination or prohibition of any breach as per Item 2 of Paragraph 3 and, if necessary, disclose the order for termination or prohibition of the breach in the public domain.

***(7) (Former Par. 6 - SG No. 89/17.11.2015)*** In performing in-flight checks, the aviation inspectors shall receive per diems in the amount set for a crew member, namely, the flight captain.

(8) *(New - SG No. 16/2021)* General Directorate Civil Aviation Administration performs the functions of the National Civil Aviation Frequency Management Authority in the implementation of Commission Implementing Regulation (EU) 2019/123 of 24 January 2019 laying down detailed rules for the implementation of network air traffic management (ATM) functions and repealing Commission Regulation (EU) No 677/2011 (OJ L 28/1 of 31 January 2019).

(9) *(New - SG No. 16/2021)* General Directorate Civil Aviation Administration shall act as the competent authority for the implementation of Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aerial vehicles (OJ L 152/45 of 11 June 2019), hereinafter "Implementing Regulation (EU) 2019/947".

## Article 16c

*(Last Amendment - SG No. 16/2021)*

(1) *(Last Amendment - SG No. 99/2011, in force as of 01.01.2012)* The Civil Aviation Administration Directorate General shall be the national supervisory authority as regards the safe and effective operation of suppliers of air navigation services. In execution of its functions the national supervisory authority shall be independent of suppliers of air navigation services.

(2) The Civil Aviation Administration Directorate General shall issue a licence for air navigation services to the suppliers of air navigation service.

(3) The Minister of Transport and Communications shall issue an ordinance thereby determining:

1. the conditions and procedure of issuance and suspension of licence for navigation services, as well as the requirements to the person that has applied for a licence;

2. the manner of organizing and conducting the checks of fulfilment of requirements of the person that has filed for issuance or to whom a licence for navigation services has been issued;

3. the conditions and procedure at which part of the checks pursuant to Item 2 may also be carried out by other organizations recognized by the Civil Aviation Administration Directorate General and endorsed by the Minister of Transport and Communications, the requirements to which these organisations shall correspond, as well as the conditions and procedure for withdrawal of commission to conduct checks.

(4) *(Last Amendment - SG No. 99/2011, in force as of 01.01.2012)* In the case of functional blocks of air space that encompass the air space of the Republic of Bulgaria and that of a European Union member-state or states the Republic of Bulgaria may conclude an agreement with the relevant European Union member-state for control on the part of the national supervisory authority referred to in Paragraph (1) on suppliers of air navigation service who provide air navigation services in the air space of the functional block.

(5) *(Last Amendment - SG No. 99/2011, in force as of 01.01.2012)* The Republic of Bulgaria may conclude an agreement with a European Union member-state for control effected by the national supervisory authority referred to in Paragraph (1) as regards the safe and effective operation of a supplier of air navigation services whose principal location of operation is on the territory of the said European Union member-state.

(6) *(Last Amendment - SG No. 99/2011, in force as of 01.01.2012)* The national supervisory authority referred to in Paragraph (1) shall cooperate with the national control authorities of other European Union member-states towards abidance by the conditions for the issue of air navigation service licences and for the provision of the necessary control of safe and effective operation of suppliers of air navigation services holding a licence, issued by a European Union member-state, and shall provide air navigation services in the air space of the Republic of Bulgaria served.

(7) *(New - SG No. 63/2010)* The Director-General of the Civil Aviation Administration Directorate-General shall issue certificates for exploitation serviceableness of the provider of aerial navigation services for use of navigation devices for aerial navigation, landing and survey under terms and procedures set forth by ordinance issued by the Minister of Transport, Information Technology and Communications.

(8) *(Last Amendment - SG No. 16/2021)* The national supervisory authority includes the expenses for performance of its functions in the effectiveness plan in accordance with the requirements of Commission Implementing Regulation (EU) 2019/317 of 11 February 2019 laying down an efficiency and charging scheme in the Single European Sky and repealing Implementing Regulations (EU) № 390/2013 and (EU) № 391 / 2013 (OJ L 56/1 of 25 February 2019), hereinafter "Implementing Regulation (EU) 2019/317".

(9) *(Last Amendment - SG No. 16/2021)* The national expenses base of the fees under Art. 120 (2) includes the expenses for performance of the functions of the national supervisory authority plan in accordance with the requirements of Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky (the service provision Regulation) and Implementing Regulation (EU) 2019/317.

(10) *(New - SG No. 99/2011, in force as of 01.01.2012)* The funds resulting from the excess incomes of the national supervisory authority which are provided by the air navigation service providers and are above the incurred and proved expenses for the performance of its functions in the end of the relevant calendar year, are used during the next financial years, and expended specifically for the performance of its functions.

(11) *(New - SG No. 99/2011, in force as of 01.01.2012)* The funds for performance of the functions of the national supervisory authority are approved by the General Director of the Civil Aviation Administration General Directorate and are expended specifically by means of the budget of the Ministry of Transport and Communications.

(12) *(New - SG No. 99/2011, in force as of 01.01.2012)* The employees of the Civil Aviation Administration General Directorate, which are occupied in the activity thereof as a national supervisory authority, are appointed as „civil aviation inspectors" under a labor contract.

### **Article 16d**

*(Last Amendment - SG No. 16/2021)*

(1) The "Civil Aviation Administration" Directorate General is the body responsible for the security of civil aviation in the Republic of Bulgaria, which coordinates the interaction between natural persons and legal entities to ensure security in civil aviation.

(2) In performing its obligations under Paragraph (1) above, The "Civil Aviation Administration" Directorate General shall:

1. *(Repeal - SG No. 63/2010);*

2. *(Last Amendment - SG No. 1/2019)* draft and propose for approval, by the Director-General of the Civil Aviation Administration Directorate-General, the National Programme for Civil Aviation Security, the National Programme for Quality Control relevant to Ensuring Security in Civil Aviation, and the National Civil Aviation Security Training and Certification Program after coordination with the co-chairmen of the Civil Aviation Security Council;

2a. *(New - SG No. 63/2010)* draft and propose for approval, by the Minister of Transport and Communications, the Minister of Defense, the Minister of Interior, the Minister of Finance and the Chairperson of the State Agency for National Security, an action plan in case of illegal interference in the civil aviation; such action plan shall be adopted by a decision of the Council of Ministers;

3. control and coordinate action plans for emergency situations caused by an act of unlawful interference with civil aviation;

4. perform an assessment of the occurrence risk analysis in relation to unlawful interference with civil aviation; determine and propose concrete action;

5. control the operation of the security checks system at airports and other civil aviation facilities,

6. coordinate with the competent authorities the decision making process and grant, where appropriate, practicable requests by other countries, as established by an international treaty to which the Republic of Bulgaria is a signatory, for stepping up security measures with respect to flights of foreign civil aviation operators;

7. cooperate with other states in the exchange of information on threats against civil aviation, including, subject to coordination with the relevant authorities, by identifying high-risk countries to which flights are performed by Bulgarian civil aviation operators;

8. perform monitoring and coordinate the supervision of the implementation and fulfilment of the National programme for Civil Aviation Security.

9. *(Last Amendment - SG No. 16/2021)* issue certificates to:

- a) *(Last Amendment - SG No. 16/2021)* the personnel of the airport operator checking and controlling security;
  - b) *(Last Amendment - SG No. 16/2021)* the personnel of the ground service operator and of the regulated agent, carrying out security checking and controlling on cargo and post.
  - c) *(New - SG No. 16/2021)* aviation security instructors;
  - d) *(New - SG No. 16/2021)* persons performing internal quality control in civil aviation
- (3) *(New - SG No. 1/2019)* Checks on passengers departing from the airport, transfer passengers and transit passengers, their manual and registered baggage, non-passengers, crews and motor vehicles, freight and mail, aircraft operator materials, deliveries of goods for the flight and the airport and the control of the access to the security zones of the civil airports for public use shall be carried out by a certified person under para. (2) point 9, letter (a) of the airport operator.

### **Article 16e**

*(Last Amendment - SG No. 16/2021)*

(1) The Civil Aviation Administration Directorate General is the national independent supervisory authority within the meaning of Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges (OJ, L 70/11; 11 March 2009).

(2) The Civil Aviation Administration Directorate General:

1. resolves disputes between airport operators and airport users related to the expedience and legality of the changes in the airport charges, introduced by an airport operator with an annual traffic exceeding five million passengers or by an airport operator of an airport with the highest number of passenger transports on the territory of the Republic of Bulgaria;
2. develops and submits for affirmation with ordinance issued by the Council of Ministers under Art. 122 (1), a methodology for calculation of airport charges by types; the methodology shall be based on the principles of cost allocation, transparency and equality of the users of the airport with an annual traffic exceeding five million passengers or the airport with the highest number of passenger transports on the territory of the Republic of Bulgaria;
3. publishes and updates annually a list of the airports with an annual traffic exceeding five million passengers or the airports with the highest number of passenger transports on the territory of the Republic of Bulgaria.

(3) *(New - SG No. 60/2012)* The amount of the airport fees under Art. 120 (1) collected by the airport operator at an airport with an annual traffic exceeding 5 million passengers or the airport operator at the airport with the highest number of passengers transported on the territory of the Republic of Bulgaria, shall include the expenses related to performance of the functions of the Independent Supervisory Authority under Par. (1).

(4) *(New - SG No. 60/2012)* The airport operator at an airport with an annual traffic exceeding 5 million passengers or the airport operator at the airport with the highest number of passengers transported on the territory of the Republic of Bulgaria does not include the expenses related to performance of the functions of the Independent Supervisory Authority under Par. (1), where no consent on such expenses has been reached with the users of the airport within the framework of the procedure under Chapter Ten "C".

(5) *(New - SG No. 60/2012)* The airport operator at an airport with an annual traffic exceeding 5 million passengers or the airport operator at the airport with the highest number of passengers transported on the territory of the Republic of Bulgaria, provides the funds collected as part of the airport fees under Art. 120 (1) for the functions of the Independent Supervisory Authority to the said authority.

(6) *(Last Amendment - SG No. 16/2021)* The terms and conditions for calculating the portion of the airport fees under Paragraph (5), as well as for the manner of their transfers shall be established by the regulation under Art. 122 (1) as in determining its amount the decision of the airport operator under Art. 122j.

(7) *(New - SG No. 60/2012)* Funds accumulated by surplus of the income of the Independent Supervisory Authority under Par. (1), provided by the airport operator at an airport with an annual traffic exceeding 5 million passengers or the airport operator at the airport with the highest number of passengers transported on the territory of the Republic of Bulgaria, exceeding the expenses made and proved for performance of the Independent Supervisory Authority functions, at the end of the calendar year, shall be transferred for the next years and used exclusively for performance of the functions of the Independent Supervisory Authority.

(8) *(Former Par. (3) - SG No. 60/2012)* The Civil Aviation Administration Directorate General prepares an annual report on its activities as an national independent supervisory authority and publishes the report on its website.

### **Article 16f**

*(Last Amendment - SG No. 16/2021)*

(1) *(Last Amendment - SG No. 16/2021)* Applications for the issue of licenses, permits, testimonials, approvals, certificates, declarations or other documents shall be submitted to the General Directorate of Civil Aviation Administration and shall be considered within 30 days. This time limit shall not apply:

1. where another time limit is provided for in a European Union regulation;
2. when it becomes necessary to collect additional documents and / or evidence; in this case, the 30-day period shall be suspended until the documents / evidence is presented;
3. in the cases under Art. 10, para. 2.

(2) *(Last Amendment, SG No. 81/2011)* Where a candidate (applicant) is found to meet the relevant requirements, the Director of the Civil Aviation Administration Directorate General shall issue the respective document applied for within 10 days following expiry of the period as per Paragraph (1), unless a different period is provided under a European Union Regulation.

(3) *(Last Amendment - SG No. 16/2021)* The Director General of the Directorate General The Civil Aviation Authority may authorize officials to issue or revoke permits, testimonials, attestations, approvals, certificates, declarations or other documents.

(4) The rights as per Paragraph (1) shall be non-transferable.

(5) *(Last Amendment, SG No. 81/2011)* In the event of established violations of the safety and security requirements or any other obligations, as provided by law, on the part of the entity to which a document has been issued as per Paragraph (1), by way of a coercive measure the Director of the Civil Aviation Administration Directorate General or another official duly authorized by the latter shall:

1. restrict the rights as per the document issued until rectification of the violation or compliance with the obligatory instruction issued, in cases where the restricted activity does not jeopardize air navigation safety and security or create a risk of damages or threats to the life or limb of human individuals;
2. suspend the rights as per the document issued until rectification of the violation or compliance with the obligatory instructions issued, in cases where the performance of the said activity may jeopardize air navigation safety and security or create a risk of damages or threats to the life or limb of human individuals.

(6) The rights ensuing from documents issued as per Paragraph (1), shall be terminated in the event of:

1. *(Last Amendment, SG No. 81/2011)* withdrawal of the document by decision of the Director of the Civil Aviation Administration Directorate General or by decision of another duly authorized official for acts as per Paragraph 3:

a) where the entity or facility to which a document has been issued ceases to meet the requirements for issuance thereof;

b) where the document was issued on the basis of forged documents or documents with false content;

c) in the event of violation of the law or the bylaws relevant to the issuance of the document, or of non-fulfilment of the obligatory instructions issued within the time limit prescribed;

2. upon request by the holder thereof;

3. upon termination of the business activity of the holder thereof.

(7) A refusal, whether explicit or implicit, to issue the documents applied for as per Paragraph (1), as well as any restriction, suspension or withdrawal thereof, shall be subject to appeal according to the procedure as per the Code of administrative procedure.

### **Article 16g**

*(Last Amendment - SG No. 87/2025)*

(1) *(Repeal - SG No. 62/2019, in force as of 06.08.2019)*

(1a) *(New - SG No. 87/2025)* The National Board for the Investigation of Accidents in Air, Water and Rail Transport is the competent authority for the implementation of Regulation (EU) No 996/2010 of the European Parliament and of the Council on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC (OJ L 295/35, 12 November 2010), hereinafter referred to as "Regulation (EU) No 996/2010".

(2) *(Last Amendment - SG No. 62/2019, in force as of 06.08.2019)* The National Air, Water and Rail Accident Investigation Board:

1. *(Last Amendment - SG No. 16/2021)* maintains a system for mandatory and voluntary notification for aviation – related occurrences: aviation accidents, serious incidents and incidents;

2. organizes, participates and leads safety investigations;

3. stores documentation related to investigations and maintains aviation – related occurrences information database;

4. prepares and distributes annual analyses and informational bulletins on the aviation – related occurrences;

5. when investigating aviation – related occurrences analyzes the actions of natural and legal persons in the aviation field and the functions of the facilities and sites related to the specific occurrence;

6. *(Last Amendment - SG No. 87/2025)* collects and analyzes data on aviation safety in compliance with Art. 4 (4) of Regulation (EU) No 996/2010;

7. has the power to transfer an investigation or part of it to safety investigation authority of another state, after preliminary consultations with such authority.

(3) *(Repeal - SG No. 62/2019, in force as of 06.08.2019)*

(4) *(Last Amendment - SG No. 62/2019, in force as of 06.08.2019)* The National Air, Water and Rail Accident Investigation Board and the Civil Aviation Administration Directorate

General shall keep each other mutually informed upon receipt of information about any aviation-related occurrence.

(5) *(Last Amendment - SG No. 62/2019, in force as of 06.08.2019)* The functions of the National Air, Water and Rail Accident Investigation Board are carried out by investigating inspectors.

#### **Article 16h**

*(Former Article 16g, SG No. 81/2011)*

The Minister of Transport and Communications or an official authorized thereby:

1. shall issue certificates of licensed capacity to the radio operators of the aeronautical mobile radio service and the aeronautical mobile-satellite radio service, shall issue authorizations for use of aircraft radio stations, and shall keep public registers of the certificates and authorizations as issued;
2. shall carry out international coordination of radio frequencies and radio frequency bands, as well as of the technical characteristics of the radio equipment which uses the said frequencies and bands for the following radio services: aeronautical mobile, aeronautical mobile-satellite, aeronautical radio navigation, and aeronautical radio navigation-satellite;
3. shall assign for use the allocated radio call signs for identification of the aircraft radio stations and shall keep a register of the said call signs under terms and according to a procedure established in an ordinance of the Minister of Transport, Information Technology and Communications on the allocation of radio call signs in the Republic of Bulgaria according to the requirements of the International Telecommunication Union."

#### **Chapter One "a"**

*(New, SG No. 66/208, effective 25 July, 2008)*

### **ENSURING SECURITY IN CIVIL AVIATION**

#### **Article 16i**

*(Former Article 16h, SG No. 81/2011)*

(1) Security in civil aviation shall be achieved by means of:

1. issuance of regulatory and individual administrative acts; adoption of security programmes, action plans in the event of unlawful interference and other acts on the part of the heads of aviation operators, airport operators, ground service operators and the Air Traffic Control State Enterprise;
2. introduction of physical protection systems;
3. identification of security zones and the terms and procedure of entry and stay therein;
4. control and checking of persons and objects upon entry/exit into/from such security zones;
5. trained staff designated to perform security-related tasks.

(2) Security measures shall be undertaken solely for the purpose of attaining security in civil aviation, by selecting such measures as would minimize the negative impact on the relevant person and society.

(3) The negative outcome of the selected security measure shall not be in clear disproportion to its expected successful impact.

(4) The selected security measure shall be applied until achieving its goal or until the moment when it is established that the goal cannot be achieved.

#### **Article 16j**

*(Last Amendment - SG No. 16/2021)*

(1) *(Former text of art. 16i – SG No. 63/2010)* The persons and entities responsible for ensuring civil aviation security, each according to their functional competence, shall be:

1. The Minister of Transport and Communications, by means of the implementation and further development of the National Programme for Civil Aviations Security;
2. The Civil Aviation Security Council;

3. The Civil Aviation Administration Directorate General;
  4. The airport administration and airport operators to whom the functions of airport administration are assigned;
  5. The Air Traffic Control State Enterprise;
  6. Civil aviation operators;
  7. *(Last Amendment - SG No. 16/2021)* groundhandling operators, full-fledged controllers (regulated agents) and known consignors;
  8. *(Last Amendment, SG No. 63/2010)* The relevant services of the Ministry of Interior;
  9. *(Last amendment - SG No. 63/2010)* the Customs Agency;
  10. The relevant service of the Ministry of Foreign Affairs directly involved in ensuring civil aviation security;
  11. *(Last amendment - SG No. 63/2010)* The State Agency for National Security
  12. *(New - SG No. 63/2010)* the relevant structures of the Ministry of Defense, the structures in direct subordination to the Minister of Defense and the Bulgarian Army taking part in the realization of the supervision, management and use of the national airspace.
- (2) *(New - SG No. 63/2010)* The Civil Aviation Security Council shall comprise representatives of the Civil Aviation Administration Directorate-General, the Ministry of Interior, the Ministry of Defense, the Customs Agency and the State Agency for National Security and shall be managed by the Deputy Minister of Transport and Communications, the Deputy Minister of Defense, the Secretary-General of the Ministry of Interior and the Chairperson of the State Agency for National Security, who shall be co-chairpersons of the Council.

(3) *(New - SG No. 63/2010)* The Civil Aviation Security Council shall be an advisory body with the Minister of Transport and Communications, the Minister of Interior, the Minister of Defense, the Chairperson of the State Agency for National Security and the Minister of Finance aimed at strategic planning and consultation, action in concert, cooperation and coordination among the various state agencies, legal and physical persons in charge of ensuring security in civil aviation.

(4) *(New - SG No. 63/2010)* The Council may draw in the process of its work representatives of other state agencies, as well as experts in the field of civil aviation.

(5) *(New - SG No. 63/2010)* The administrative service of the Civil Aviation Security Council activity shall be ensured by the Civil Aviation Administration Directorate-General.

### **Article 16k**

*(Former Article 16j, SG No. 81/2011)*

(1) The airport administration shall ensure the level and standard of performance of the functions assumed as an obligation of the State, pertinent to flight and airport security, by developing, applying and updating an airport programme for assuring airport security, involving concrete organizational and technical security measures and procedures, conforming to the requirements of the relevant regulatory framework and the National Security Programme.

(2) Such airport programme for ensuring aviation security shall be subject to approval by the Director General of the Civil Aviation Administration Directorate General.

(3) Such airport programme for ensuring aviation security shall conform to, and comply with, any and all amendments to the legislation relevant to civil aviation security, and shall be submitted for approval by the Director of the Civil Aviation Administration Directorate General.

(4) The civil aviation operators shall implement the measures provided for in the airport programme for ensuring aviation security.

(5) *(New - SG No. 63/2010 in force as of 01.01.2011)* Civil aviation operators shall perform:

1. security check-up of departing passengers originating their journey from the relevant airport, transfer and transit passengers, their hand and registered luggage;
2. security check-up of personnel, crews and motor vehicles for access to the limited access security zones and critical points;
3. security check-up of freight and air mail;
4. security check-up of air mail and aviation operators' materials;
5. security check-up for delivery of goods destined for the flight and the airport;
6. video surveillance of limited access security zone, critical points and other zones;
7. access control and shall issue temporary permits for persons and motor vehicles;
8. guard of aerial devices at the airport platform.

(6) *(New - SG No. 63/2010 in force as of 01.01.2011)* The provider of aerial navigation services shall develop, apply and update a security program for prevention of acts of illegal interference in the aerial navigation devices and the activity thereof. The programme shall be developed in accordance with the requirements of the National Programme for Civil Aviation Security, the airport programmes for ensuring aviation security and shall be approved by the Director-General of the Civil Aviation Administration Directorate-General.

#### **Article 16l**

*(Former Article 16k, SG No. 81/2011)*

- (1) Civil aviation operators shall develop, implement and update a programme for security and prevention of acts of unlawful interference with civil aviation.
- (2) The programme as per Paragraph (1) above shall be developed in accordance with the requirements of the National Security Programme, the airport programmes for ensuring aviation security, in conformity with the aviation activity being performed, and shall be approved by the Director of the Civil Aviation Administration Directorate General.
- (3) The programme as per Paragraph (1) above shall conform to, and comply with, any and all amendments to the legislation relevant to civil aviation security, and shall be submitted for approval by the Director of the Civil Aviation Administration Directorate General.
- (4) Civil aviation operators shall implement the measures provided under Paragraph (1) above.

#### **Article 16m**

*(Repeal, SG No. 63/20010)*

#### **Article 16n**

*(Last Amendment - SG No. 16/2021)*

- (1) Security zones shall be designated for each airport, with restricted access thereto.
- (2) *(Last Amendment - SG No. 1/2019)* The access of physical persons performing their official duties to the security zones of civil airports shall take place after carrying out a positive thorough examination by the State Agency for National Security according to criteria set out in the National Programme for Civil Aviation Security. The access to security zones at civil airports is also coordinated with the Border Police Directorate General on the criteria set out in the National Civil Aviation Security Program.
- (3) *(New - SG No. 1/2019)* Individuals may carry out or be responsible for conducting inspections, access control or other security controls in areas other than security zones after a thorough overall verification by the State Security Agency has been carried out in accordance with the criteria set out in the National civil aviation security program.
- (4) *(New - SG No. 16/2021)* Persons who have successfully passed a successful in-depth comprehensive inspection by the State Agency for National Security according to the criteria set out in the National Civil Aviation Security Program shall have the right of unaccompanied access to air cargo and mail, air carrier materials, goods intended for flights and goods intended for airports,

(5) *(New - SG No. 16/2021)* Persons who have passed a successful in-depth comprehensive inspection by the State Agency for National Security according to the criteria set out in the National Civil Aviation Security Program shall undergo aviation security training.

(6) *(New - SG No. 16/2021)* Certificates from the Director General of the General Directorate "Civil Aviation Administration" after passing a successful in-depth comprehensive inspection by the State Agency "National Security" according to criteria specified in the National Security Program in Civil Aviation are issued to persons under Art. 16g, para. 2, item 9, letter "d".

#### **Article 16o**

*(Former Article 16n, Last Amendment, SG No. 81/2011)*

(1) Security on board of the aircraft may also be provided by in-flight security personnel employed by the civil aviation operators.

(2) Such in-flight security personnel shall undertake measures to prevent acts of unlawful interference with civil aviation.

(3) *(Last Amendment, SG No. 81/2011)* In undertaken the measures as per Paragraph (2) above, such personnel shall comply with the provisions of Art. 16i (2) through (4).

(4) *(Last Amendment, SG No. 63/20010)* The officers in charge of air flights security and the employment procedure thereof shall answer to such criteria which are in accordance with the requirements of the National Programme for Civil Aviation Security.

#### **Article 16p**

*(New - SG No. 1/2019)*

The Full Controller (regulated agent) shall develop, implement and maintain a security program approved by the Chief Directorate of the Civil Aviation Administration.

#### **Article 16r**

*(New - SG No. 16/2021)*

The known consignor shall develop, implement and maintain a security program approved by the Director General of the General Directorate of Civil Aviation Administration.

#### **Article 16s**

*(New - SG No. 16/2021)*

Security managers are appointed after:

1. they have successfully passed a comprehensive inspection, carried out by the State Agency "National Security" according to criteria, determined in the National Program for Security in Civil Aviation;

2. the access to the security zones of the civil airports of the security chiefs, performing their official duties at the airport, is coordinated with the General Directorate "Border Police" according to criteria, determined in the National program for security in the civil aviation;

3. they are approved by the General Directorate "Civil Aviation Administration" according to the criteria, determined in the National program for training and certification in civil aviation security.

#### **Article 16t**

*(New - SG No. 87/2025)*

Airport operators and air carriers and the persons under Art. 16k, para. 1, items 4 - 7 shall implement cybersecurity measures defined in the National Civil Aviation Security Program under Art. 12, para. 3, resulting from Regulation (EC) No. 300/2008 and its implementing acts.

#### **Article 16u**

*(New - SG No. 87/2025)*

The ground handling operator develops, implements and maintains a security program approved by the Director General of the General Directorate "Civil Aviation Administration".

## **Chapter Two**

### **AIRCRAFT**

#### **Article 17**

Useable for civilian air navigation shall be only aircraft meeting the requirements stipulated herein.

#### **Article 18**

*(Last Amendment, SG No. 85/1998)*

An aircraft shall be used solely for the purpose it was originally designed for. Any change in an aircraft's function shall be admissible by the permission of the "Civil Aviation Administration" Directorate General with the Ministry of Transport and Communications.

#### **Article 19**

*(Last Amendment - SG No. 1/2019)*

(1) Prior to commissioning, an aircraft shall be invariably inspected, registered and provided with a certificate of airworthiness.

(2) *(Last Amendment, SG No. 81/2011)* The Director of the Civil Aviation Administration Directorate General shall issue certificates of airworthiness to an aircraft if it meets all relevant standards and possesses the Standard Certificate or an equivalent document issued or recognised by the European Aviation Safety Agency (EASA) when those are required for that specific aircraft.

(3) *(Last Amendment, SG No. 81/2011)* In case where an aircraft fails to meet the respective norms and standards of airworthiness, or its conformity therewith is not proven, the Director of the Civil Aviation Administration Directorate General may issue a flight permit, provided that the aircraft may perform safe flights subject to certain restrictions or other conditions. The Minister of Transport and Communications shall then issue an ordinance defining the terms, conditions and procedure of issuance of a flight permit.

(4) *(Last Amendment - SG No. 1/2019)* All aircraft which falls within the scope of Regulation (EC) No 2018/1139 or the national standards of airworthiness specified in the ordinance under Art. 24 (6) shall be filed in the register of civil aircraft of the Republic of Bulgaria.

(5) *(Last Amendment - SG No. 1/2019)* The owner, charterer, and in cases of commercial air transport – the operator, shall be responsible for the maintenance of the aircraft airworthiness in compliance with the requirements of Regulation (EC) No 2018/1139 and the national standards on airworthiness as established by the ordinance under Art. 24 (6).

(6) *(Last Amendment - SG No. 1/2019)* The Chief Directorate of the Civil Aviation Administration Directorate-General issues certificates of airworthiness in accordance with Annex I, Part 21, Section B, Subpart 3, point 21.B.325 of Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organizations (OJ L 224/1 from 21 August 2012).

#### **Article 19a**

*(New - SG No. 16/2021)*

(1) Unmanned aerial vehicles are operated:

1. after registration of the operator of an unmanned aerial system, when he is subject to registration, according to art. 14 (5) of Implementing Regulation (EU) 2019/947;
2. after registration of the unmanned aerial system, when it is subject to certification, under the conditions and by the order of the ordinance of art. 16a, item 19;
3. in the presence of a valid third party liability insurance, unless the unmanned aerial vehicle system has a maximum permissible take-off weight of less than 20 kg and only flights for sports or recreational purposes are carried out with it.

(2) The operator is obliged to operate the unmanned aerial system in accordance with the applicable regulatory requirements, with the procedures in its documentation, as well as in accordance with the rights granted to it, under the conditions and by the order of the ordinance under Art. 16a, item 19.

#### **Article 20**

(1) *(Last Amendment, SG No. 85/1998)* Civilian aircraft shall be recorded in the Republic of Bulgaria's Civilian Aircraft Register, kept by the "Civil Aviation Administration" Directorate General with the Ministry of Transport, Information Technology and Communications.

(2) Entries in such Register, as well as deletions therefrom, shall be made at the request of an aircraft's owner, tenant or holder. An application to that effect must be filed within thirty (30) days of the date when the grounds for recordation or deletion, respectively, emerged.

(3) *(New, SG No. 10/2007)* An aircraft entered in the Register under paragraph 1 will be deleted from the register ex-officio when its airworthiness certificate has been revoked or more than 6 months have elapsed after certificate expiration.

#### **Article 21**

*(Last Amendment, SG No. 81/2011)*

(1) *(Last Amendment, SG No. 81/2011)* An aircraft recorded in a foreign country's registry may be entered in the Republic of Bulgaria's Civilian Aircraft Register only after its deletion from the foreign one.

(2) *(Last Amendment, SG No. 81/2011)* No legal consequences shall be ensuant on the recordation of Bulgarian aircraft in a foreign registry while not yet deleted from the Republic of Bulgaria's Civilian Aircraft Register under the established terms and procedures.

#### **Article 22**

(1) *(Former article 22, SG No. 52/2004)* The "Civil Aviation Administration" Directorate General shall provide every aircraft recorded in the Civilian Aircraft Register with a certificate of registration inscribed wherein shall be its distinctive nationality and registration marks.

(2) *(New, SG No. 52/2004)* The terms, conditions and procedure of the entry or deletion of aircraft into the Civilian Aircraft Register of the Republic of Bulgaria shall be prescribed by force of the ordinance as per Article 5 (4)

#### **Article 23**

*(Last Amendment, SG No. 85/1998)*

(1) All transfers of title, any establishment and transfer of property rights, and other transactions relating to private rights in aircraft, such as liens and mortgages, shall be effected in writing.

(2) Transactions set forth under paragraph (1) may be invoked against third parties following their recordation in the Civilian Aircraft Register.

(3) No contract of sale or charter concerning aircraft owned by Bulgarian private persons or public bodies shall be valid if concluded in contradiction with the international agreements, or with some resolution of an international organisation, ratified by the Republic of Bulgaria.

(4) Transactions relating to liens (mortgages, privileges) on aircraft shall be effective as of the date of entry in the Civilian Aircraft Register. In the event where two or more liens have been established on one and the same aircraft, the order of priority in satisfying lien claimants shall be determined by the date of entry in the Civilian Aircraft Register, and where such recordation was effected on the same day, authoritative shall be the serial number of entry.

#### **Article 24**

(1) *(Last Amendment, SG No. 85/1998)* Aircraft shall be subject to inspection to certify their conformance to norms of airworthiness, aviation noise and gaseous emissions from aircraft engines as established in the Republic of Bulgaria.

(2) *(Repeal, new, SG No. 85/1998)* The "Civil Aviation Administration" Directorate General may recognise a certificate of airworthiness for an imported aircraft providing it conforms to the applicable norms of airworthiness.

(3) *(New, SG No. 85/1998)* In any event of modifying an aircraft's equipment (instrumentation, controls) the "Civil Aviation Administration" Directorate General shall issue also a certificate of airworthiness for the aircraft equipment.

(4) *(New, SG No. 85/1998, amended SG No. 52/2004)* The "Civil Aviation Administration" Directorate General shall only recognise certificates of aviation noise and gaseous emissions from aircraft engines that have been issued by an internationally recognised authority.

(5) *(New, SG No. 85/1998, amended SG No. 52/2004)* The Minister of Transport and Communications shall prescribe the requirements relating to the maintenance and certification of the aircraft's airworthiness and to the standards of aviation noise and gaseous emissions from aircraft engines, as well as the terms and procedures for issuance and revocation of such certificates.

(6) *(New, SG No. 52/2004)* The Minister of Transport and Communications shall issue an ordinance determining the requirements for establishing the airworthiness of newly-built aircraft, of maintenance and certification of the airworthiness of aircraft and related products, parts and flight instruments.

(7) *(New, SG No. 52/2004)* The Minister of Transport and Communications shall prescribe by force of an ordinance the terms, conditions and procedure of issuing aviation noise and gaseous emission certificates in respect of aircraft engines.

#### **Article 24a**

*(New, SG No. 52/2004)*

(1) *(Last Amendment, SG No. 10/2007)* The building or reconstruction of aircraft or of products, parts or flight instruments therefore, shall be carried out by natural persons or legal entities registered as per the Commercial Act or persons registered as merchants under the legislation of an European Union member state or another country signatory to the European Economic Area Agreement, who possess a valid license.

(2) The Director of the Civil Aviation Administration Directorate General or another official duly authorized by the latter shall issue a license for the building or reconstruction of aircraft or of products, parts or flight instruments therefore provided that the applying entities meet the requirements of financial stability and professional competence.

(3) The terms, conditions and procedure for the issuance of a license for building or reconstruction of the respective type of aircraft or of products, parts or flight instruments therefore shall be prescribed by the ordinance as per Article 24 (6).

#### **Article 25**

*(Last Amendment - SG No. 1/2019)*

(1) *(Last Amendment - SG No. 1/2019)* The technical maintenance of aircrafts shall be provided by natural and juridical persons authorised to carry out technical servicing and repair of aircraft and aviation equipment.

(2) *(Last Amendment, SG No. 34/2001)* The Minister of Transport and Communications shall lay down by way of an ordinance the terms of granting certificates and licenses to the persons referred to in the preceding paragraph (1).

(3) *(New, SG No. 34/2001)* The Director General of the "Civil Aviation Administration" Directorate General shall be vested with the powers to issue a license to carry out the activities referred to in paragraph (1) above.

(4) *(New, SG No. 34/2001)* Such license shall be personal and shall not be transferable.

(5) *(New, SG No. 34/2001, supplemented, SG No. 10/2007)* A license to carry out technical servicing and repair of aviation equipment shall be issued to natural or juridical persons duly registered under the Commerce Act or persons registered as merchants under the legislation of an European Union member state or another country signatory to the European Economic Area Agreement on condition that:

1. all requisite facilities, equipment, tools, materials, and technical documentation (approved data) ensure proper performance of all the works relative to the technical servicing and repair of aircraft and aviation equipment, and provide adequate conditions for appropriate storage of aircraft components;

2. all personnel attesting the performance of technical servicing meet the qualification requirements for certification of civilian aviation personnel while manpower is sufficient for the purposes of planning, performing, managing, and controlling all the works relative to technical servicing and repair of civil aircraft and their components.

(6) *(New, SG No. 34/2001, repeal, SG No. 52/2004)*

(7) *(Last amendment, SG No. 52/2004)* Director General of the "Civil Aviation Administration" Directorate General shall decline to grant a license in case a candidate fails to meet any of the requirements referred to in paragraph (5) above and specified in detail in the ordinance referred to in Article 25, paragraph (2) hereof.

(8) *(New, SG No. 34/2001; repeal, SG No. 52/2004)*

(9) *(New, SG No. 52/2004)* The maintenance of the airworthiness of aircraft with a maximum take-off mass of 5,700 kg or less, performing non-commercial flights, may also be performed by natural persons possessing a certificate of professional competence for the performance of technical maintenance and servicing of aircraft.

#### **Article 25a**

*(New, SG No. 34/2001)*

(1) *(Last Amendment, SG No. 52/2004)* A license to carry out technical servicing and repair of aircraft and aviation equipment shall be granted initially for a period of one (1) year. Subsequent licenses shall be issued for a validity term of three (3) years.

(2) *(Repeal, SG No. 52/2004)*

(3) *(Last Amendment, SG No. 52/2004)* A license may be withdrawn, or its validity suspended entirely or in part for a specified period of time in the event that the licensee has violated the provisions of Article 25, (5) and the ordinance as per Article 25, (2) hereof. The decision to withdraw or suspend a license shall be subject to appeal pursuant to the provisions of the Code of administrative procedure.

(4) *(Last Amendment, SG No. 52/2004)* Fees shall be collected for the issuance of any license to carry out technical servicing and repair of aircraft and aviation equipment in such amounts as shall be prescribed by the Council of Ministers.

#### **Article 25b**

*(New - SG No. 16/2021)*

The Director General of the General Directorate "Civil Aviation Administration" issues a certificate of competency for maintenance of aircraft to foreigners - citizens of countries that are not members of the European Union, with the status of long-term or permanent residence in the Republic of Bulgaria. The residence is certified by documents issued under the terms and conditions of the Foreigners in the Republic of Bulgaria Act.

#### **Article 26**

*(Last Amendment - SG No. 1/2019)*

Any certificate of airworthiness, of aviation noise and of gaseous emissions issued to an aircraft registered in this country shall be revoked should it be ascertained on inspection that the requirements of Regulation (EU) No 2018/1139 and the national standards on airworthiness as established by the ordinance under Art. 24 (6) have been disobeyed.

#### **Article 27**

*(Last Amendment - SG No. 1/2019)*

Certificates of airworthiness and airworthiness review certificates issued by the competent authorities of another state shall be rendered valid in the Republic of Bulgaria where:

1. *(Last Amendment - SG No. 1/2019)* the applicable requirements concerning airworthiness in the state whose competent authority has issued the certificate of airworthiness are in compliance with the requirements of Regulation (EU) No 2018/1139, or surpass them;
2. *(Last Amendment - SG No. 1/2019)* the Director of the Civil Aviation Administration Directorate General or an official authorized by the Director has given its consent to have the inspection of an aircraft, entered in the Civilian Aircraft Register of the Republic of Bulgaria, carried out in another country whose legislative requirements on airworthiness are in compliance with the requirements of Regulation (EU) No 2018/1139, or surpass them.

#### **Article 28**

*(Last Amendment, SG No. 81/2011)*

The Civil Aviation Administration Directorate General shall subject foreign aircrafts landing on the airports of the Republic of Bulgaria to dock inspections in the event of doubts that they do not comply with the international safety standards.

#### **Article 29**

*(Last Amendment - SG No. 16/2021)*

(1) Any aircraft not carrying a certificate of airworthiness or a certificate of registration, or a flight permit, or whose distinctive marks do not correspond to the marks specified in such certificates, shall be detained by the Director of the Civil Aviation Administration Directorate General or by an official authorized by the Director.

(2) *(Last Amendment - SG No. 16/2021)* An aircraft shall be detained by the persons under par. 1 where:

1. the dock inspection of the aircraft has found present and clear safety threat;
2. the dock inspection of the aircraft has found possibility that the operator will not implement measures prior to flight to remedy established incompliance, as a result of which the safety of the aircraft and the passengers in it will be directly jeopardized;
3. inspection has been refused.

(3) In the cases under pars. 1 and 2, the Director of the Civil Aviation Administration Directorate General notifies immediately the aviation authorities of the respective operator and of the state of registration of the aircraft.

(4) In the cases under par. 2, pt. 2, the aircraft shall be detained until removal of the threat.

(5) In the cases under par. 2, pt. 2, the Director of the Civil Aviation Administration Directorate General may allow a relocation flight with no passengers to a technical service base.

#### **Article 29a**

*(Last Amendment - SG No. 16/2021)*

(1) *(Last Amendment - SG No. 16/2021)* Where the dock inspection of an aircraft has found incompliance with the international safety standards but no need to detain the aircraft, the Director of the Civil Aviation Administration Directorate General or an official authorized by the Director:

1. imposes restrictions on the exploitation of the aircraft where it has been established that the aircraft may continue its flight only if these restrictions are observed;
2. issues guidelines for actions to remove the incompliance before the flight.

(2) In the cases under par. 1, pt. 2, the Director of the Civil Aviation Administration Directorate General may allow a relocation flight with no passengers to a technical service base.

#### **Article 30**

*(Last Amendment - SG No. 87/2025)*

(1) Any aircraft performing international flights, as well as any aircraft with a maximum take-off mass of 750 kg or over performing domestic flights, must have the following documents on board during flight:

1. a certificate of registration;
2. a certificate of airworthiness;

3. a license to operate an on-board radio communication device;
  4. certificates of competence for every member of the operating crew;
  5. insurance documents;
  6. a journey log book;
  7. a flight plan;
  8. a passenger list (waybill) indicating points of departure and destination;
  9. a manifest and the appropriate detailed declarations on respect of cargo/freight if such is carried on board;
  10. an airline operator's certificate if the flight is a commercial one;
- (2) *(Last Amendment - SG No. 87/2025)* The Minister of Transport and Communications shall issue an ordinance prescribing that other documents, in additions to those as per Paragraph (1), be present on board the aircraft in compliance with regional agreements under the International Civil Aviation Organization.
- (3) The ordinance as per Paragraph (2) also prescribes the documents required to be present on board any aircraft with a maximum take-off mass under 750 kg performing domestic flights

#### **Article 31**

*(Last Amendment, SG No. 85/1998)*

Flight documents carried by foreign aircraft shall be rendered valid providing they are in compliance with the requirements of the international conventions to which the Republic of Bulgaria is a signatory.

#### **Article 31a**

*(New, SG No. 85/1998)*

- (1) An airport administration shall be entitled to reposition an aircraft, or parts, or units thereof within airport grounds in any case where they have, without representing an obstruction to operating aircraft, been situated in the airport territory for more than six (6) months during which time the aircraft has not been airworthy, or in the event the owner, tenant or holder has not been paying the due parking fee or rental price for more than three (3) months.
- (2) Any action as per paragraph (1) shall be taken on condition that one (1) month written notice shall have been given to the person that has abandoned the aircraft, or parts, or units thereof, or that is a party to a valid parking agreement.
- (3) An airport administration shall have the right to remove an immobilised aircraft from the airfield in the event it represents an obstruction to operating aircraft and the operator of such aircraft has failed to take the requisite efficient measures for a prompt removal after the occurrence.
- (4) An airport administration shall not be held liable for any damage caused while repositioning or removing an aircraft or units of an aircraft, respectively, under the terms of this Article.

### **Chapter Three**

## **FLIGHT PERSONNEL AND FLIGHT CREWS**

*(Title Last Amendment, SG No. 85/1998)*

#### **Article 32**

*(Last Amendment - SG No. 87/2025)*

- (1) *(Last Amendment - SG No. 87/2025)* The Minister of Transport and Communications shall stipulate by ordinance all positions requiring certificates of competency.
- (2) *(Last Amendment - SG No. 16/2021)* Flight personnel shall denote any and all persons holding a certificate of professional competence or attestation. Persons who are in the process of training for the purpose of acquiring professional competence shall be conferred the status of flight personnel during flight.

(3) *(Last Amendment - SG No. 87/2025)* The management, maintenance, provision of aircraft and passenger service are carried out by aviation personnel with a valid license or attestation.

(4) *(Former Par. 3 - SG No. 87/2025)* The "Civil Aviation Administration" Directorate General shall issue certificates of competency and attestations and keep a register of all civilian flight personnel under such terms and procedures as laid down by the Minister of Transport and Communications.

### **Article 33**

*(Last Amendment - SG No. 16/2021)*

The Minister of Transport and Communications shall issues regulations by which prescribe:

1. *(Last Amendment - SG No. 16/2021)* the terms and procedures for issuing certificates to training organizations and aviation training centres and the requirements they must comply with;
2. *(Last Amendment - SG No. 16/2021)* the requirements and procedures for issuing teaching certificates to instructors employed in aviation training centres in training organizations and the courses of study for their preparation;
3. the list of occupations associated with aviation and the applicable qualifying requirements;
4. the criteria to be met by the applicants for training in the aviation training centres, the courses of instruction, the terms and procedures for conducting examinations and the examination requirements.
5. *(Last Amendment - SG No. 16/2021)* the terms and procedure for recognition of licences (certificates of professional competence) of members of the aircraft crew and cabin crew attestations, issued by a member state of the European Union or by another state party to the European Economic Area Agreement;
6. *(Last Amendment - SG No. 16/2021)* the terms and procedure for recognition of licences (certificates of professional competence) of members of the aircraft crew and cabin crew attestations, issued by other states.
7. *(New - SG No. 16/2021)* the conditions and the order for issuing a certificate of an approved training organization;
8. *(New - SG No. 16/2021)* the conditions and the order for issuing a certificate of organization for training of cabin crew;
9. *(New - SG No. 16/2021)* the requirements to be met by the aero-medical centers and the aero-medical experts (AME);
10. *(New - SG No. 16/2021)* the conditions and the order for approval of the organizations for assessment of language competence for the needs of the civil aviation;
11. *(New - SG No. 16/2021)* the requirements to be met by the declared training organizations.

### **Article 34**

*(Last Amendment - SG No. 87/2025)*

(1) *(Last Amendment - SG No. 16/2021)* The crew members of a civil aircraft registered in the Republic of Bulgaria must have:

1. certificates of competency, issued or recognized as valid by the General Directorate "Civil Aviation Administration" - for the members of the flight crew;
2. attestations, issued or recognized as valid by the General Directorate "Civil Aviation Administration" - for the members of the cabin crew.

(2) Foreign nationals may also be appointed in civil aviation positions by permission of the Minister of Transport and Communications, for a term not exceeding one year. Nationals of an EU member state, or of another state party to the European Economic Area Agreement, shall be allowed to seek employment in civil aviation for an indefinite term and without permission of the Minister of Transport and Communications.

(3) *(Last Amendment - SG No. 87/2025)* With the permission of the Minister of Transport and Communications, pilots who hold a pilot's license issued by a third country in accordance

with the requirements of Annex 1 to the Convention on International Civil Aviation for a period not exceeding one year are also allowed to work in civil aviation. The Minister of Transport and Communications may extend this period once and only for a maximum of one year if, during the period of validity, the pilot has applied for a pilot licence in accordance with Annex I (Part FCL) to Commission Regulation (EU) No 1178/2011 of 3 November 2011 laying down technical requirements and administrative procedures relating to aircrew in civil aviation in accordance with Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 311/1 of 25 November 2011), hereinafter referred to as "Regulation (EU) No 1178/2011", or is undergoing training for the issue of such a pilot licence. Pilots who hold a pilot license issued in accordance with Annex I (Part FCL) to Regulation (EU) No. 1178/2011 are allowed to work in civil aviation indefinitely and without the need for permission from the Minister of Transport and Communications.

#### **Article 35**

*(Last Amendment, SG No. 85/1998)*

Certificates of competence issued by foreign institutes and bodies to the persons referred to in Article 32 (1) hereof shall be rendered valid on the basis of reciprocity providing the applicable requirements concerning the issuance of competency certificates pursuant to the said Article 32 (1) are either comparable to the currently established international standards or surpassing them.

#### **Article 36**

No trainee shall be held liable for any damage caused in training flights unless the damage resulted from the trainee's wilful misconduct.

#### **Article 37**

*(Last Amendment - SG No. 16/2021)*

(1) *(Last Amendment, SG No. 81/2011)* The Minister of Transport and Communications shall specify with ordinance the persons engaged in civil air navigation subject to medical certification, as well as the requirements they must meet.

(2) *(Last Amendment, SG No. 81/2011)* The fitness of personnel to perform a particular activity, from the viewpoint of their state of health, shall be ascertained by a specialised aero-medical centers or aero-medical experts, having certificate for such type of activity issued by the Director of the Civil Aviation Administration Directorate General.

(3) *(New, SG No. 81/2011)* The Minister of Transport and Communications establishes the terms and conditions for certification with the ordinance under par. 1.

(4) *(Last Amendment - SG No. 16/2021)* The conditions and the procedure for the certification of the medical fitness of amateur pilots of ultralight aircraft by a general practitioner shall be determined by an ordinance of the Minister of Transport and Communications.

#### **Article 37a**

*(New - SG No. 87/2025)*

It is prohibited for persons performing the relevant activity to be under the influence of psychoactive substances while driving, servicing the aircraft and aircraft maintenance equipment, servicing passengers, as well as during air traffic control and air navigation services.

#### **Article 38**

*(Last Amendment, SG No. 63/2010)*

(1) *(Last Amendment, SG No. 66/2008, in force as of 25.07.2008)* An aircraft crew shall consist of all aviation staff commissioned with the execution of a flight.

(2) Crew strength and crew positions shall be prescribed by the "Civil Aviation Administration" Directorate General depending on the type of aircraft and the nature of flight. Undermanned flights shall be positively disallowed.

(3) *(New, SG No. 37/2006)* In operation of an aircraft the flight crew shall be responsible for abidance by the requirements of the Ordinance referred to in Item 14 of Article 16a.

(4) *(New, SG No. 66/2008, in force as of 25.07.2008)* In executing their flight schedules, civil aviation operators shall include, at their own expense, civil aviation inspectors in their flight crews, in accordance with their qualification.

(5) *(New - SG No. 63/2010)* In executing their flight schedules, civil aviation operators shall be entitled to perform check-ups and tests of the crew members for use of psycho-active substances.

### **Article 39**

*(Last Amendment - SG No. 87/2025)*

(1) *(Last Amendment - SG No. 87/2025)* Every aircraft in flight shall be managed by a commander, whose speciality must hold the relevant pilot's licence issued in accordance with Regulation (EU) No 1178/2011 or recognised by the Directorate General for Civil Aviation Administration in accordance with Article 34 of Regulation (EU) No 1178/2011 and Commission Delegated Regulation (EU) 2020/723 of 4 March 2020 laying down detailed rules on the recognition of pilot certification carried out by third countries and amending Regulation (EU) No 1178/2011 (OJ L 170/1 of 2 June 2020). He shall be responsible for the pre-flight preparation of the crew and for conducting the flight in conformance with existing regulations for preserving the aircraft, the lives of the persons belonging to it, and the cargo carried on the flight.

(2) *(Last Amendment - SG No. 16/2021)* An aircraft commander must refuse to perform a flight should he have ascertained any defect in the aircraft that is not on the list of admissible malfunctions approved by the Director General of the General Directorate "Civil Aviation Administration".

### **Article 40**

(1) Any and all commands given by an the aircraft commander with regard to conducting the flight and ensuring law and order on board his aircraft shall be binding on all persons belonging thereto.

(2) An aircraft commander shall have the power to take all appropriate measures in respect to any persons disobeying his instructions, inclusive of the right to disembark them from the aircraft in the airport of departure or of intermediate stopping.

### **Article 41**

*(Last Amendment - SG No. 87/2025)*

(1) *(Last Amendment - SG No. 87/2025)* An aircraft commander who has received a signal of distress from another aircraft or from a vessel, or has discovered a distressed aircraft or vessel, or distressed people, shall be obliged to extend aid, identify the location of distress and notify it to the air traffic control units.

(2) The aircraft commander shall not be allowed to take any rescue action endangering his aircraft, the passengers or the crew.

### **Article 42**

*(Last Amendment, SG No. 85/1998)*

In the event of forcible unlawful seizure of an aircraft, its commander must take all appropriate measures to restore control thereof, providing the lives of the crew and passengers and the integrity of the aircraft shall not be thereby exposed to danger.

## **Chapter Four**

## **AIRPORTS**

### **Article 43**

*(Last Amendment - SG No. 16/2026)*

(1) *(Last Amendment - SG No. 16/2026)* Aircraft shall be required to take off and land at airports or operational sites.

(2) Civilian airports shall encompass:

1. *(Last Amendment, SG No. 81/2011)* airports for public use - for servicing international and domestic transports, commercial operations with aircraft and other services in exchange of payment;

2. *(Last Amendment - SG No. 16/2021, in force as of 25.02.2022)* international airports for general aviation service;

3. *(Last Amendment - SG No. 16/2021, in force as of 25.02.2022)* airports for general aviation service against payment or without payment, as well as for technological needs of the owner without payment;

4. *(Last Amendment - SG No. 16/2021, in force as of 25.02.2022)* airports for the operation of flights, other than commercial air transport, with aircraft with a maximum take-off mass of less than 5700 kg for a fee or free of charge, as well as for the technological needs of the owner free of charge; the maximum take-off mass limit does not apply to helicopters.

(3) *(Last Amendment, SG No. 66/2008, in force as of 25.07.2008)* All civil airports as per paragraph (2), items 2 and 3 above that may receive civil aircraft shall be designated by the Minister of Transport and Communications in agreement with the Minister of Defence, the Minister of Finance, the Minister of Interior and the Chairperson of the State Agency for National Security upon the airport owner's explicit consent.

(4) *(Last Amendment - SG No. 16/2021, in force as of 25.02.2022)* The Council of Ministers shall, on advice of the Minister of Transport and Communications, designate the civilian airports for public use in the Republic of Bulgaria.

(5) *(Repeal, SG No. 66/2008)*

(6) *(Last Amendment - SG No. 60/2012)* The Minister of Transport and Communications and the Minister of Defence establish the terms and conditions for joint use civil airports for public use and military airports, as well as for flights of civil aircrafts to and from military airports.

(7) *(Repeal - SG No. 16/2021, in force as of 25.02.2022)*

(8) *(Last Amendment - SG No. 16/2026)* The operational sites shall be used under the conditions and in accordance with the procedure specified in the regulation under Art. 49, para. 1.

#### **Article 43a**

*(Last Amendment - SG No. 16/2021)*

(1) Civilian airports shall be public and private property.

(2) *(Repeal, SG No. 66/2008, effective 25 July, 2008)*

(3) *(Repeal, SG No. 66/2008, effective 25 July, 2008).*

(4) *(Last Amendment, SG No. 66/2008, in force as of 25.07.2008)* All tracts of land containing aerial navigation and air traffic control installations serving aircraft engaged in international or domestic public carriage, along with all the technologically indispensable terrains, shall be designated as public state-owned property, or as private property.

(5) *(Repeal - SG No. 16/2021)*

#### **Article 43b**

*(Last Amendment - SG No. 96/2017, in force as of 03.01.2018)*

(1) State-owned civil airports for public use benefit under the terms of this law by airport operators - traders who have been awarded a service concession or concession under the

Concessions Act or by commercial companies in which the State is the sole owner of the capital.

(2) Pursuant to the Concessions Act and under the terms of this law for state-owned civil airports for public use, a concession for services may also be granted for:

1. servicing passengers and / or handling cargo, baggage and mail, and / or carrying out ancillary service in a separate part of an airport defined by an aerodrome development master plan in force and / or

2. service provided on the territory of the airport, outside of the ground handling services under Art. 48e, Par. (3).

(3) The powers of a concession grantor for concession under par. (1) and (2) shall be performed by the Minister of Transport and Communications.

(4) In the procedure for designation of concessionaire for concession under par. (1) as a condition for participation in the procedure shall be determined the requirements for airport operator under Art. 48d, Par. (2), (3) and (4). With their offers, the participants in the procedure shall make proposals on the organization, technology and technology that will ensure compliance with the established standards and procedures to ensure the safety and security of flights at the airport concerned, as well as suggestions on how management and operation of the airport. An Airport Operator License is issued to the Concessionaire after the concession contract has been concluded within the terms agreed within the Concessionaire when the Concessionaire meets the licensing requirements set out in this Act.

(5) With the concession contract under para. 1, the rights and obligations related to the activities under Art. 48a, Par. (3) and Art. 48e, Par. (3), Pt. 3 - 5 and 7, which are performed by the concessionaire. The contract entitles the concessionaire to collect airport charges under Art. 120, Par. (1), specifying the conditions and procedure for that, including the part of the charges it collects for its own benefit as income from airport and / or service operations.

(6) The accompanying activity under Par. 2, Pt. 1 shall mean any activity related to the servicing of passengers, cargo and mail, the performance of which is justified by the traffic of the airport and the economic activities carried out and does not prevent and / or impede the provision of groundhandling services, aviation security and safety.

(7) With the concession contract under Par. (2), Pt. 1, besides the operational risk, the concessionaire assumes the risk of joining the detached part to the technical infrastructure necessary for its operation. The contract entitles the concessionaire to collect airport charges under Art. 120, Par. (1), specifying the conditions and procedure for this, including the part of the fees which it collects in its favor as income from the operation of the services.

(8) The objects in or through which the service is provided and the rights and obligations of the concessionaire related to the use of the objects under item 1 shall be determined with the concession contract under Par. (2).

(9) The relations of the concessionaire with the airport administration shall be determined with the concession contract under Par. (2).

#### **Article 43c**

*(Last Amendment - SG No. 96/2017, in force as of 03.01.2018)*

An airport owned by a municipality is used under the terms of this Act by an airport operator - a trader who has been awarded a concession for a construction or concession for services under the Concessions Act.

#### **Article 43d**

*(New, SG No. 34/2001)*

(1) All expenses incurred by the concessionaire in connection with the construction, operation, and maintenance of the concessionary facilities shall be recognised and accounted as actual expenditures.

(2) Subsequent deduction of expenses referred to in paragraph (1) above accounted as financial loss shall commence in the year wherein the concessionary facilities are put into

operation for such period of time and under such terms as stipulated in the concession agreement.

(3) Any additional expenses incurred by the concessionaire shall be allowed as actual expenditures provided there is a relevant stipulation in the concession agreement.

#### **Article 43e**

*(Last Amendment, SG No. 66/2008, in force as of 25.07.2008)*

Single-trader companies whose assets are state-owned shall utilise civilian airports for public use, constituting public state property, without concession. The terms and procedure of use of civilian airports, constituting public state property, by single-person commercial companies with a State-owned stake of their capital, shall be determined by force of a contract between the Minister of Transport and Communications and such single-person commercial company.

#### **Article 43f**

*(New, SG No. 66/2008, in force as of 25.07.2008)*

Civilian airports for public use which are neither state nor municipal property shall be used by airport operators constituting commercial entities, subject to the provisions of this Act.

#### **Article 43g**

*(New, SG No. 66/2008, in force as of 25.07.2008)*

(1) Natural persons or legal entities registered as merchants, who/which operate, or have invested in the building or extension of, a civilian airport for public use, other than a civilian airport for public use constituting public state property, or municipal property, shall file an application with the Civil Aviation Administration Directorate General.

(2) The application as per Paragraph (1) above shall contain, at least:

1. a feasibility study about the expected traffic of passengers and/or freight to be handled at such airport;
2. documents attesting to the rights of the person or entity over the territory in which such airport is to be operated or built, or extended;
3. proper identification of the territory in which such airport is to be built or extended, together with feasibility studies into the existence of suitable environmental, geological and meteorological conditions and the possibilities for connecting such airport with the existing road and railway grid;
4. an investment study; an investment programme and data attesting to its financial and technological feasibility;
5. the need of public investments related to the construction of road and/or railway links;
6. preliminary evidence of the possibilities for setting up and operation of a border checkpoint, in cases where such airport is to handle international flights.

(3) Within 6 months from the date of receipt of such application, the Civil Aviation Administration Directorate General shall perform its own verification of the application as per Paragraph (1) above, and shall submit a position paper to the Minister of Transport and Communications.

(4) Based upon such position paper by the Director of the Civil Aviation Administration Directorate General, the Minister of Transport and Communications shall submit to the Council of Ministers a proposal for a decision on:

1. granting an operational licence or a permit for construction of a new airport for public use or for extension of an existing one, other than civil airports for public use, constituting public state property; or
2. refusal to grant an operational licence or a permit for construction of a new airport for public use or for extension of an existing one, other than civil airports for public use, constituting public state property.

#### **Article 43h**

*(New - SG No. 16/2021)*

The Minister of Transport and Communications by an ordinance determines the types of air traffic services, including airport flight information services.

#### **Article 44**

*(Last Amendment - SG No. 16/2021, in force as of 25.02.2022)*

(1) *(Last Amendment - SG No. 16/2021, in force as of 25.02.2022)* The General Directorate of Civil Aviation Administration certifies the operational suitability of civil airports and navigation facilities.

(2) All installations and facilities as per paragraph (1) above that comply with the established standards, terms and requirements shall be provided with a certificate of operability.

(3) *(Last Amendment - SG No. 16/2021, in force as of 25.02.2022)* The conditions and the procedure for certifying the suitability of the airports, the systems and the facilities for navigation, as well as the requirements to these sites, shall be determined by an ordinance of the Minister of Transport and Communications.

#### **Article 44a**

*(New - SG No. 1/2019)*

General Civil Aviation Administration certifies civil airports for public use under the conditions and procedure of Regulation (EU) No 139/2014 laying down the requirements and administrative procedures for airports in accordance with Regulation (EC) No 216/2008 of the European Parliament and of the Council The European Parliament and the Council (OJ L 44/1 of 14 February 2014), hereinafter referred to as "Regulation (EU) No 139/2014".

#### **Article 45**

*(Last Amendment - SG No. 16/2021, in force as of 25.02.2022)*

The "Civil Aviation Administration" Directorate General shall have the authority to restrict or disallow the operations of airports failing to comply with safety of flight requirements.

#### **Article 45a**

*(New, SG No. 66/2008, in force as of 25.07.2008)*

The Minister of Transport and Communications shall issue an ordinance to determine the content, terms and procedure of preparation of the master plans for civilian airports as per Art. 43 (2), subpar. 1.

#### **Article 46**

*(Last Amendment - SG No. 102/2023)*

(1) The Minister of Transport and Communications shall be vested with the co-ordination of all projects relating to construction, enlargement or reconstruction of civilian airports and navigation facilities.

(2) Prerequisite to any project coordination as per paragraph (1) shall be:

1. a valid master plan for the airport's development;

2. *(Last Amendment, SG No. 52/2004)* a duly approved detailed zoning and urban development plan and implementation of the procedures as per *the Environmental Protection Act, the Spatial Development Act, the State Property Act and the Municipal Property Act*, as per this Act as well as any other statutes that might have a bearing on a pending planning permission;

(3) *(Last Amendment - SG No. 102/2023)* The Minister of Transport and Communications, the Minister of Regional Development and Public Works and the Minister of Agriculture and Food shall prescribe in a joint ordinance the terms of granting planning permissions for construction works in the statutory service zones and zones of impact of airports. Building permits for the construction of buildings, installations, reservoirs, landfills, overground high-voltage power lines, quarry pits and other suchlike facilities shall require co-ordination with the Minister of Transport and Communications.

#### **Article 46a**

*(Last Amendment - SG No. 98/28.11.2014, in force as of 28.11.2014)*

The Minister of Transport and Communications, in coordination with the Minister of Regional Development and Public Works, shall issue an ordinance prescribing the content of the specialized map and the register that are to be developed on the basis of data as per Article 32 (1) of the Cadastre and Property Register Act, subject to the terms, conditions and procedure of the establishment and maintenance thereof.

**Article 47**

*(Last Amendment - SG No. 102/2023)*

(1) The Minister of Transport and Communications shall lay down the restrictions relating to the safety of air navigation with regard to the construction of facilities as per Article 46, paragraph (3) hereof, as well as the requirements, standards and mode of positioning warning devices on top of high buildings and installations.

(2) *(Last Amendment - SG No. 102/2023)* The Minister of Transport and Communications and the Minister of Agriculture and Food shall have the power to impose expedient restrictions on the nature of crops planted in the vicinity of airports with a view to securing protection from birds.

(3) The "Civil Aviation Administration" Directorate General shall have the power to prescribe that any structure, or a portion thereof, exceeding safety height be taken down.

(4) In the event of non-compliance with a prescription as per paragraph (3) above, the "Civil Aviation Administration" Directorate General shall notify the appropriate competent authorities and demand that the obstruction(s) be forcibly removed for the account and risk of the person failing to comply with its bidding.

(5) *(New, SG No. 52/2004)* The dismantling and removal of the obstacles as per Paragraph (3) shall be executed at the expense of the entity which has perpetrated the illegal act(s) or, in case of construction of a new airport or extension of an existing one, at the expense of the airport operator.

(6) *(Former from Paragraph (5), SG No. 52/2004)* An airport administration shall be required to oversee the compliance with all restrictions set forth in paragraphs (1) and (2) concerning possible obstructions, including nearby posts, pillars, trees, masts, dikes, excavations, ditches and suchlike.

**Article 47a.**

*(New, SG No. 37/2006)*

Dislocation of aircraft for which a valid certificate of airworthiness has not been issued shall not be permitted on the territory of civil airports for public use.

**Article 48**

*(Last Amendment, SG No. 85/1998)*

The "Civil Aviation Administration" Directorate General shall be vested with the co-ordination of construction projects for erection and reconditioning of buildings, installations, facilities and other works within airport grounds on the basis of the validated master plan.

**Article 48a**

*(Last Amendment, SG No. 81/2011)*

(1) The Minister of Transport and Communications shall lay down the standards, terms and regulations relative to securing safety of flight at airports.

(2) The "Civil Aviation Administration" Directorate General shall oversee the performance of all functions assumed by the government as obligations under the various international conventions on the adherence to existing standards, terms and regulations for securing safety of flight.

(3) An airport administration shall:

1. be required to ensure the level of validated categories and standards in the fulfilment of all the functions assumed by the government as obligations under international conventions relative to:

- a) maintenance of airfield and development of airport infrastructure;
- b) restricting and removal of obstructions;

- c) *(Last Amendment, SG No. 81/2011)* maintenance of visual air navigation facilities;
  - d) securing emergency, rescue and fire-prevention services both within the limits and in the vicinity of the airport;
  - e) airport security and protection;
  - f) safety of flight;
  - g) co-ordination among the various administrations and business enterprises concerning airport operations and utilisation;
  - h) control and management of ground movement within airport limits;
  - i) power-supply equipment and installations;
  - k) streamlining the usual airport formalities;
2. have the power to assign contracts for elaborating and updating the airport's master plan and cadastral plans;
  3. *(Last Amendment, SG No. 52/2004)* be required to secure appropriate conditions for economic activities within airport limits for the airport business operators duly licensed under this Act;
  4. be required to take measures to reduce aviation noise; \
  5. have the power to effect a precautionary arrest of an aircraft (unless engaged in a scheduled air-service flight) in the event its user has failed to pay the owing fees, or has not given an adequate bond or posted satisfactory security;
6. have the power to collect the airport fees charged pursuant to this Act.

(4) *(Last Amendment, SG No. 52/2004)* The Minister of Transport and Communications shall have the power to vest the functions of an airport administration, either entirely or in part, in the airport enterprise.

(5) *(New, SG No. 66/2008, in force as of 25.07.2008)* At civilian airports for public use which do not constitute public state or municipal property, the functions of airport administration shall be performed by the owner of the airport or by a person authorized by the latter, who possesses an airport operator's licence.

#### **Article 48b**

*(Repeal, SG No. 52/2004)*

#### **Article 48c**

*(Last Amendment, 52/2004)*

(1) *(Last Amendment, SG No. 10/2007)* Any activities pertinent to the management and operation of a civilian airport as per Article 43 (2) items 1 and 2 shall be carried out by commercial entities registered as per the Commercial Act or persons registered as merchants under the legislation of an European Union member state or another country signatory to the European Economic Area Agreement to which an airport operator license has been duly issued.

(2) An airport operator shall be required by law to provide access, subject to equal terms and conditions, to any aircraft granted a valid flight permit.

(3) The airport operator shall be required by law to receive and provide service to aircraft in distress as well as to state-owned aircraft.

(4) The Civil Aviation Administration Directorate General shall supervise the fulfilment of obligations as per Paragraphs (2) and (3).

(5) In the event of repeated failure to fulfil such obligations and with a view to averting and eliminating the detrimental impact of their non-fulfilment, the Civil Aviation Administration Directorate General shall, by way of a coercive administrative measure, suspend the functions of the airport operator pertinent the management and operation of the airport.

(6) The terms, conditions and procedure of issuance of a license as per Paragraph (1) shall be prescribed by an ordinance of the Minister of Transport and Communications.

#### **Article 48d**

*(Last Amendment, SG No. 52/2004)*

(1) An airport operator's license shall be issued to attest to the fact that the organization, technical equipment, technology and personnel of the licensed entity comply with the standards and requirements of safe and reliable maintenance of the airport operability.

(2) An airport operator's license shall be issued subject to condition that:

1. the applicant has procured a valid certificate of airport operability;
2. the applicant has presented proof of financial stability;
3. the airport manpower have the qualifications, professional experience, and length of service requisite to conduct this business;
4. the organisation, technical equipment, and technologies employed by the applicant ensure compliance with established standards and procedures ensuring security and safety of flight at the respective airport;
5. the applicant has an *Airport Management and Operation Manual* endorsed by the "Civil Aviation Administration" Directorate General.

#### **Article 48e**

*(Last Amendment - SG No. 16/2021, in force as of 25.02.2022)*

(1) *(Last Amendment - SG No. 16/2021, in force as of 25.02.2022)* Any activities pertinent to the ground service of a civilian airport as per Article 43 (2) items 1 shall be performed by commercial entities registered as per the Commercial Act or persons registered as merchants under the legislation of an European Union member state or another country signatory to the European Economic Area Agreement to which a ground service operator's license has been duly issued.

(2) An airport ground service operator's license shall be issued subject to the condition that the applicant meets the following requirements:

1. the applicant's manpower have the qualifications, professional experience, and length of service requisite to conduct this business;
2. the applicant has presented proof of financial stability;
3. *(Last Amendment - SG No. 41/2011)* the applicant has established organization, and is in possession of the relevant technical equipment and/or technologies ensuring compliance with the applicable standards and procedures to provide for the safety and security of persons, aircraft, the facilities and equipment of the respective airport; the applicant proves the possession of the relevant technical equipment and/or technologies by submitting documents verifying ownership rights, lease or right to use on other grounds the relevant technical equipment and/or technologies;
4. possesses an Operational Manual regarding activities to be performed at the respective airport, duly approved by the Civil Aviation Administration Directorate General;
5. *(New - SG No. 41/2011)* the applicant has insured liability to third parties, liability for lost or damaged cargo, luggage and mail, liability to applicant's personnel for accidents; to this end an insurance contract covering all mandatory under the law risks must be submitted.

(3) A ground service operator's license shall be granted in respect of each of the activities to be performed at the respective airport:

1. ground administration and supervision;
2. passenger service;
3. luggage processing;
4. cargo and mail processing;
5. dock service of aircraft;
6. general service of aircraft;
7. provision of aircraft with fuel and lubricants;
8. technical servicing of aircraft;
9. flight operation and crew administration;
10. ground transportation;
11. on-board catering.

(4) *(Last Amendment - SG No. 41/2011)* Any entity to which a license as per Paragraph (3) has been issued shall have the right of access to the ground services or self-service market at any given civilian airport for public use pursuant to the provisions of Paragraphs 5, 6 and 7.

(5) *(Last Amendment - SG No. 41/2011)* At airports with an annual passenger turnover of 2 million passengers or over, or with an annual cargo turnover of 50,000 tons or over, the number of operators providing services to third parties pertinent to luggage processing, dock service of aircraft, provision of fuel and lubricants to aircraft, cargo and mail processing – with regard to the physical processing of cargo and mail, regardless whether arriving, departing or transferred between the airport terminal and the aircraft, which have gained access to the market of such services, must be no fewer than two for each type of activity, except in the absence of candidates

(6) In cases where there are two or more candidates for provision of ground services as per Paragraph (5), at least one of them must not be controlled, directly or indirectly, by the following entities:

1. the airport operator;
2. an air carrier conveying more than 25 percent of the passengers or cargo through the respective airport;
3. an entity directly or indirectly controlling, or controlled by, the airport operator or the air carrier.

(7) *(Last Amendment - SG No. 41/2011)* At airports with an annual passenger turnover of 2 million passengers or over, or with an annual cargo turnover of 50,000 tons or over, the number of airline operators with the right to perform self-service in respect of luggage processing, dock service of aircraft, provision of fuel and lubricants to aircraft, cargo and mail processing – with regard to the physical processing of cargo and mail, regardless whether arriving, departing or transferred between the airport terminal and the aircraft, must be no fewer than two, except in the absence of candidates. In cases under the thresholds in sentence one, self-service is carried out freely.

(8) The Civil Aviation Administration Directorate General may:

1. restrict the number of operators providing ground services to third parties and/or performing one or more activities other than those as per Paragraph (5), whereby the respective restrictions as per Paragraph (6) shall apply for the operator;
2. grant to only one operator providing ground services to third parties the right to perform one or more activities other than those as per Paragraph (5);
3. *(Last Amendment - SG No. 41/2011)* restrict the number of airline operators performing activities other than those as per Paragraph (7), to perform self-service;
4. *(Last Amendment - SG No. 41/2011)* ban self-service altogether, or grant the right of self-service for the activities under Paragraph (7) to one airline operators only;
5. *(New, SG No. 66/2008, in force as of 25.07.2008)* determine the number of operators providing ground services to third parties or performing one or more of the activities as per Paragraph (5) above;
6. *(New - SG No. 41/2011)* determine the number of air carriers performing self-service in respect of one or more of the activities as per Paragraph (7).

(9) *(Last Amendment, SG No. 66/2008, in force as of 25.07.2008)* Restrictions as per Paragraph (8) shall be imposed for shortage of space or capacity within a given airport as a result of operational overload and a high percentage of saturation of the available space, as well as in cases where this is justified or necessitated, above all, by considerations of safety, security or the spatial layout of the airport.

(10) Restrictions as per Paragraph (8) item 2 may be imposed for a period of up to two years, while restrictions as per Paragraph (8) items 1, 3 and 4, for a period of up to three years.

(11) The Civil Aviation Administration Directorate General may order a one-time extension of the restrictions as per Paragraph (8) item 2 by another two years.

(12) Regardless of the passenger or cargo turnover of an airport or the restrictions imposed, the airport operator shall perform, without tender or competition, those activities pertinent to ground service for which the airport operator has been granted a ground service operator's license.

(13) *(New - SG No. 41/2011)* The airport operator notifies the Civil Aviation Administration Directorate General for events under Paragraph (9). Within three months after the notification, the Director of the Civil Aviation Administration Directorate General schedules an inspection and issues an order.

(14) *(New - SG No. 41/2011)* Where, the number of air carriers performing self-service is restricted under Paragraph (8) to the carrying out of the respective activity, the Director of the Civil Aviation Administration Directorate General selects air carrier(s) transporting the largest share of passengers and/or cargo for the airport for the calendar year prior to the entry into force of the restriction.

(15) *(New - SG No. 41/2011)* Access for air carriers selected under Paragraph (14) is granted for a period not exceeding 7 years.

(16) *(New - SG No. 41/2011)* If an air carrier selected under Paragraph (14) is licensed for ground service operator for the respective activity, the air carrier is granted access to self-service on the date of entry into force of the restriction decision under Paragraph (8).

(17) *(New - SG No. 41/2011)* An air carrier selected under Paragraph (14), not licensed for ground service operator for the respective activity at the airport, undertakes actions to receive license under the terms and conditions of this Act within 60 days after the date of entry into force of the restriction decision under Paragraph (8).

(18) *(New - SG No. 41/2011)* Where the candidates selected under Paragraph (14) declare that they do not wish to carry out self-service activities at the respective airport or do not undertake actions to receive license within the period under Paragraph (17), or there is a denial of license, the Director of the Civil Aviation Administration Directorate General issues a decision designating ground self-service operator for the candidates with the next largest share in services for passengers or cargo.

(19) *(New - SG No. 41/2011)* The Director of the Civil Aviation Administration Directorate General revokes the access to self-services for air carriers selected under Paragraph (14), where for a period exceeding one year they have not met the criteria under Paragraph (14).

(20) *(New - SG No. 41/2011)* The Director of the Civil Aviation Administration Directorate General revokes the access to the market for a ground service or self-service operator, not complying with the mandatory orders under Art. 48h (1) of the respective airport, by an order issued upon request from the airport operator.

(21) *(New - SG No. 41/2011)* The Director of the Civil Aviation Administration Directorate General revokes with an order the access to the market for a ground service or self-service operator, where the operator has not started its activity within 60 days after grant of access, the license of the operator has been revoked or bankruptcy procedure has been initiated against the operator.

(22) *(New - SG No. 41/2011)* The acts of the Director of the Civil Aviation Administration Directorate General under Paragraphs (8), (14), (18) – (21) are subject to appeal under the terms and conditions of the Administrative Procedure Code.

#### **Article 48f.**

*(Last Amendment - SG No. 41/2011)*

(1) At airports with an annual passenger turnover of 1 million passengers or over, or with an annual cargo turnover of 25,000 metric tons or over, a committee of consumers of ground services may be established.

(2) Each consumer of ground services shall have the right to join the committee of consumers of ground services through its authorized representatives or a specially established body.

(3) *(New, SG No. 10/2007)* The airport operator shall conduct at least once a year a consultation session with the Committee of Consumers and Ground Service Operators of the respective airport to discuss matters related to access to the market of ground servicing. Consultation sessions shall be finalized by the issuance of an order by the airport operator.

(4) *(Last Amendment - SG No. 41/2011)* If there are restrictions imposed under Article 48e (8) item 2, consultation sessions stipulated in paragraph 3 shall include consultation regarding prices of those ground services which will be subject to restrictions and regarding the delivery method of those specific services. Consultation sessions shall be finalized with the issuance of an order by the airport operator.

(5) *(New, SG No. 10/2007)* Orders issued by the airport operator under paragraph 3 and 4 are administrative in nature and may be appealed in accordance with the Administrative Procedural Code.

### **Article 48g**

*(Last Amendment - SG No. 41/2011)*

(1) In cases where restrictions as per Article 48e (5) or (8), items 1 and 2, have been imposed in respect of a given airport, a competitive bidding shall be held to select ground service operators that shall be granted access to the ground service market. The competitive bidding shall be organized by the airport operator or by the Civil Aviation Administration Directorate General, where the activity subject to the competitive bidding is performed by the airport operator or by an entity controlled directly or indirectly by the latter.

(2) The competitive bidding as per Paragraph (1) shall be held following consultations with the committee of consumers of ground services.

(3) *(Last Amendment, SG 10/2007)* The terms of the competitive bidding shall be announced publicly in at least two daily newspapers, one of which shall be local with respect to the location of the airport and in the Official Journal of the European Union.

(4) *(Last Amendment - SG No. 41/2011)* The announcement of the competitive bidding shall contain the period of market access to be granted, which must not exceed 7 years.

(5) The bidding documentation shall be prepared following consultations with the committee of consumers of ground services and shall contain the minimum financial and other conditions, requirements as to the assessment of participants, a draft contract and other requirements relevant to the subject of the competitive bidding.

(6) Entrants shall be required to submit:

1. a declaration in respect of circumstances as per Paragraph (8);

2. *(Last Amendment - SG No. 41/2011)* a list of the technical equipment fit for exploitation, inherently necessary for carrying out the respective activity, ensuring compliance with the respective standards and procedures for safety and security of persons, aircrafts, facilities and equipment at the respective airport;

3. *(Last Amendment - SG No. 41/2011)* a list containing names and addresses of persons who the entrant plans to hire, as well as evidence that such persons possess the necessary qualification and professional experience; as well as declaration of agreement and commitment by such persons;

4. *(New - SG No. 41/2011)* a business plan;

5. *(Former Item 4 - SG No. 41/2011)* a logistical plan for the organization of business activities and interaction with the airport operator, including the terms and conditions of interaction as may be acceptable to the Civil Aviation Administration Directorate General;

6. *(Former Item 5 - SG No. 41/2011)* any other documents required pursuant to the bidding documentation as per Paragraph 5.

(7) *(Last Amendment - SG No. 41/2011)* The logistical plan as per Paragraph (6) item 5 shall contain a proposal on the location of the operator within the airport area (requisite space

and premises for the machines, equipment and personnel of the operator); a proposal on the necessary access to energy and water sources; the need for means of communication; the provisions to be made for environmental protection as the operator performs its functions; the organization of business activity and the admission regime.

(8) Disqualified from participation in the competitive bidding shall be entities which:

1. have been declared bankrupt or are subject to bankruptcy proceedings;
2. have been convicted of bankruptcy;
3. are in liquidation;
4. have been stripped of the right to engage in commercial activities;
5. have debts to the State, established by a valid statement of fact issued by a competent authority, or debts to insurance funds, unless the competent authority has allowed deferral or postponement of such debts;
6. have been convicted of crimes against property or the economy.

(9) The provisions of Paragraph (8) item 6 shall apply either to the managers or to members of the management bodies of the participants.

(10) *(Last Amendment - SG No. 41/2011)* The airport operator or the Director of the Civil Aviation Administration Directorate General shall issue decision for selection of ground services operator to the winning competitor. The decision is an individual administrative act and as such shall be subject to appeal according to the terms and conditions of the Administrative Procedure Code.

(11) *(Repeal, New - SG No. 41/2011)* Where the winning competitor has a license for ground service operator for the respective activities at the airport, the competitor receives access to the market at the date of entry into force of the selection decision under Paragraph (10).

(12) *(New - SG No. 41/2011)* Where the winning competitor does not have a license for ground service operator for the respective activities, the competitor has 60 days after the date of entry into force of the selection decision, to undertake actions to receive license under the terms and conditions of this Act.

(13) *(New - SG No. 41/2011)* Where the winning competitor does not undertake actions to receive license within the period under Paragraph (12), or a decision denying license has entered into force, the airport operator or the Director of the Civil Aviation Administration Directorate General shall issue a decision selecting for ground service operator the next in rank competitor.

(14) *(Former Par. (12), Last Amendment - SG No. 41/2011)* Where the license of ground service operator has been withdrawn or the operator has been declared in bankruptcy, a ground service operator is designated to carry out the activities until the organization of a new competitive bidding.

(15) *(Former Par. (13) - SG No. 41/2011)* An ordinance issued as per Article 48c (6) shall also prescribe the terms, conditions and procedure of access to the ground services market, of the issuance of a ground services operator's license, the ground service activities as well as the terms, conditions and procedure of imposing restrictions to market access.

#### **Article 48h**

*(New, SG No. 1/2007)*

(1) In order to ensure the safe operation of the airport, the airport operator shall issue mandatory orders to the ground service operators in compliance with the Approved Airport Management and Operation Guidelines of the respective airport.

(2) The airport operator shall allocate the available free space for ground servicing and grant the ground service and self-service operators access to airport facilities to the extent that the operators need to perform their activities.

(3) Orders issued by the airport operator under paragraph 1 and 2 are administrative in nature and may be appealed in accordance with the Administrative Procedural Code.

#### **Article 48i**

*(Last Amendment - SG No. 79/2024)*

(1) *(Last Amendment - SG No. 89/17.11.2015)* Airport operators that perform ground servicing as well as ground service operators performing services to third parties shall sever their accounts on ground service activities from the accounts on other activities in accordance with the legislation on accounting in force.

(2) *(Last Amendment - SG No. 79/2024)* Entities under paragraph 1 submit the necessary data to the Civil Aviation Administration Directorate General within 20 days after the end of the respective calendar year. Based on the data received the Director of the Civil Aviation Administration Directorate General orders inspection on compliance with the obligation stipulated under paragraph 1 by financial auditor within the meaning of the Independent Financial Audit and Sustainability Assurance Act.

#### **Article 48j**

*(New, SG No. 66/2008, in force as of 25.07.2008)*

(1) The airport operators shall undertake, or cause to be undertaken, the necessary measures and shall provide assistance, in compliance with Regulation No. 1107/2006 (EC), to disabled persons and persons with reduced mobility when travelling by air.

(2) In case where the measures undertaken or the assistance provided to a disabled person or a person with reduced mobility do not conform to Regulation No. 1107/2006 (EC), the airport operator shall owe compensation to such person for any damages caused to him/her.

(3) A claim for compensation shall be filed against the airport operator before the relevant court of law.

### **Chapter Five**

#### **FLIGHTS**

#### **Article 49**

*(Last Amendment - SG No. 28/17.04.2015)*

(1) *(Last Amendment, SG No. 81/2011)* The Minister of Transport and Communications shall lay down with an ordinance the regulations applicable to flights within the controlled airspace of the Republic of Bulgaria.

(2) *(Last Amendment - SG No. 28/17.04.2015)* The flights of civil aircraft within the controlled airspace of the Republic of Bulgaria, as well as those which cross the state border are performed in compliance with a flight plan.

(3) *(Repeal - SG No. 28/17.04.2015)*

(4) *(New - SG No. 28/17.04.2015)* The maintenance of aircrafts without flight plan, as well as activities related to search and rescue are performed in compliance with the available information.

(5) *(Former Par. 4 - SG No. 28/17.04.2015)* In commercial aviation, in addition to the units of measure established as per the International System of Units of Measure (SI), the following units and their derivatives may also be used: foot, nautical mile, knot.

#### **Article 50**

*(Last Amendment - SG No. 32/2026, in force as of 16.04.2026)*

(1) Scheduled international air carriage to or from airports within the Republic of Bulgaria shall be subject to prior permission.

(2) *(Last Amendment, SG No. 52/2004)* A permission as per Paragraph (1) shall cover the terms and requirements governing the approval of an air carrier's privilege to operate each agreed service, the co-ordination and approval of flight schedules, and/or such other requirements as may be fixed in an international agreement.

(3) *(Last Amendment, SG No. 35/2009, in force as of 12.05.2009)* Non-scheduled commercial flights to or from airports on the territory of the Republic of Bulgaria shall require the permission of the "Civil Aviation Administration" Directorate General, while international non-commercial flights of Bulgarian and foreign governmental non-military aircraft, shall require the prior permission of the Minister of Foreign Affairs. As regards military aircraft,

permissions are issued under the procedure of the Act on Passage Through and Stay on the Territory of the Republic of Bulgaria of Allied and Foreign Armed Forces and the Defense and Armed Forces of the Republic of Bulgaria Act.

(4) *(Repeal - SG No. 32/2026, in force as of 16.04.2026)*

(5) The Minister of Transport and Communications shall lay down the terms and rules of authorising aircraft flights.

#### **Article 51**

*(Last Amendment - SG No. 16/2021)*

(1) A deviation of an aircraft from the flight plan shall be admissible solely in the interests of the safety and security of flight.

(2) In the event of deviation as per paragraph (1) the aircraft commander and the flight control bodies shall notify each other of the decision(s) taken.

(3) *(Repeal - SG No. 16/2021)*

#### **Article 52**

(1) *(Last Amendment, SG No. 66/2008, in force as of 25.07.2008)* Civilian airspace shall be served using the necessary means of communication, radio navigation, pelengation, energy, light and meteorological support of air flights.

(2) *(New, SG No. 66/2008, in force as of 25.07.2008)* The Minister of Transport and Communications shall issue an ordinance to determine:

1. the terms and procedure of performing tests of the equipment as per Paragraph (1) above;
2. the manner of organizing and conducting ground and in-flight checks of the equipment as per Paragraph (1) above;
3. the technical and operational requirements to the equipment as per Paragraph (1) above.

#### **Article 53**

*(Last Amendment - SG No. 16/2021)*

(1) *(Last Amendment, SG No. 37/2006)* The legal entity styled "*Air Traffic Control*" shall be hereby transformed into "*Air Traffic Control*" State-owned Enterprise (ATC SOE) in the meaning of Article 62 (3) of the *Commerce Act*, i.e. a legal person with registered office and address of the place of management in the city of Sofia, holding a licence for providing of aerial navigation services and performing government functions relative to the provision of aerial navigation services within the Republic of Bulgaria's served civil air space.

(2) *(Last Amendment, No. 37/2006)* The principal object of activity of the "*Air Traffic Control*" State-owned Enterprise shall be:

1. air traffic control to ensure safety, efficiency, and regularity of flights within the served civil air space;
  - 1a. *(New - SG No. 16/2021)* air traffic management at controlled airports;
  - 1b. *(New - SG No. 16/2021)* design of airspace structures;
  - 1c. *(New - SG No. 16/2021)* development of flight procedures;
2. *(Last Amendment, SG No. 81/2011, in force as of 19.04.2012)* planning, provision, introduction, operation and maintenance of facilities, systems and equipment for communication, navigation, surveillance, energy, meteorological and air navigation support of the air traffic and adjacent infrastructure serviced;
3. communication servicing, navigation servicing and servicing on surveillance;
4. meteorological servicing;
5. air navigation information servicing;
6. *(Repeal - SG No. 28/17.04.2015)*
7. provision of information services for aircraft location and rescue operations;
8. control of the air-traffic safety system within their delegated area of competence;
9. fulfilment of the Republic of Bulgaria's obligations stemming from international agreements in the field of air traffic control to which the Republic of Bulgaria is a signatory;

10. collection of fees for air navigation services as per Article 120 (2) hereof;
- (3) The "*Air Traffic Control*" State-owned Enterprise shall be entitled to provide also other services connected with their nature of business.
- (4) (*Last Amendment, No. 37/2006*) In conducting its business as per paragraph (2), item 1 above the "*Air Traffic Control*" State-owned Enterprise shall have rights and obligations in respect of all aircraft in flight within the airspace served. As regards military aircraft, the "*Air Traffic Control*" State-owned Enterprise shall conduct the activities as per Items 1, 2 and 3 of Paragraph (2) in coordination with the Ministry of Defence.
- (5) The assets of the "*Air Traffic Control*" State-owned Enterprise shall consist of all the assets as consigned to their care by type, amount, and value by the Minister of Transport and Communications, and the assets acquired by the "*Air Traffic Control*" State-owned Enterprise. Consigned to the care and management of the "*Air Traffic Control*" State-owned Enterprise shall be all tracts of land and technologically indispensable terrains designated as public state-owned property in the meaning of Article 43a, paragraph (4) hereof.
- (6) The assets of the "*Air Traffic Control*" State-owned Enterprise shall not be subject to any enforcement of judgement.
- (7) No bankruptcy proceedings may be instituted against the "*Air Traffic Control*" State-owned Enterprise.
- (8) To ensure its solvency the "*Air Traffic Control*" State-owned Enterprise shall be required to maintain a fiscal reserve fund. The reserve amount, as well as the terms and procedures of keeping and expending such reserve fund shall be prescribed by the Minister of Transport and Communications and the Minister of Finance.
- (9) To conduct its business the "*Air Traffic Control*" State-owned Enterprise shall set up and maintain training and education centres.
- (10) To ensure the conduct of its business the "*Air Traffic Control*" State-owned Enterprise shall be required to place public procurement orders pursuant to the *Public Procurement Act* except for all activities relative to aviation safety, airspace control, and provision of aerial navigation services. The "*Air Traffic Control*" State-owned Enterprise may act also as contractor under public procurement contracts whose scope are activities within the enterprise's nature of business.

#### **Article 53a**

*(New, SG No. 34/2001, in force as of 1.01.2001)*

- (1) The management bodies of the "*Air Traffic Control*" State-owned Enterprise shall be:
1. the Minister of Transport and Communications;
  2. the Management Board (Board of Directors);
  3. the Director General.
- (2) (*Repeal, SG No. 82/2009*).

#### **Article 53b**

*(Last Amendment, SG No. 82/2009)*

The Minister of Transport and Communications, shall:

1. exercise the state's property rights in the "*Air Traffic Control*" State-owned Enterprise and shall implement the government policies in the area of organisation and control of airspace utilisation, as well as in the area of ensuring safety, efficiency and regularity of flights;
2. (*Last Amendment, SG No. 82/2009*) appoint and dismiss the members of the Management Board (Board of Directors);
3. appoint and dismiss the "*Air Traffic Control*" State-owned Enterprise's Director General who shall be by rights a member of the Management Board (Board of Directors);
4. authorise the involvement of the "*Air Traffic Control*" State-owned Enterprise in mercantile and civil companies;
5. endorse the rules and regulations for the constitution, functions, and activities of the "*Air Traffic Control*" State-owned Enterprise;

6. endorse any resolutions adopted by the Management Board (Board of Directors) on participation/membership of the "Air Traffic Control" State-owned Enterprise in international organisations;
7. endorse the development programme of the "Air Traffic Control" State-owned Enterprise.

### **Article 53c**

*(Last Amendment - SG No. 16/2021)*

(1) *(Last Amendment, SG No. 82/2009)* The Management Board (Board of Directors) shall be made up of three (3) members inclusive of the Director General all of whom shall be appointed by The Minister of Transport and Communications for a term of five (5) years.

(2) *(Last Amendment, SG No. 82/2009)* The Minister of Transport and Communications shall conclude a management agreement with each member of the Management Board (Board of Directors).

(3) *(Last Amendment, SG No. 82/2009)* Membership of the Management Board (Board of Directors) shall not be allowed to any person who has been convicted and sentenced for an indictable offence, or is the spouse, or a lineal or collateral relative, or a relative by marriage up to the third degree including of another member of the Management Board (Board of Directors).

(4) The Management Board (Board of Directors) shall meet at least once every two months.

(5) The meetings of the Management Board (Board of Directors) shall be convened, organised, and chaired by the Chairperson of the Board, and in his absence – by the Deputy Chairperson.

(6) *(Repeal, SG No. 63/2010)*.

(7) All resolutions of the Management Board (Board of Directors) shall be adopted by an open vote and simple majority of all members.

(8) Exercise of control over the implementation of resolutions adopted by the Management Board (Board of Directors) shall be vested with the Chairperson of the Board.

(9) Minutes shall be taken at all meetings of the Management Board (Board of Directors) which shall be signed by all attending members.

(10) *(Last Amendment, SG No. 82/2009)* The Minister of Transport and Communications, shall dismiss prior to the management agreement's expiration any member of the Management Board (Board of Directors) who:

1. does not meet the requirements set forth in paragraph (3) above;
2. has been violating the terms stipulated in the management agreement;
3. has filed a written request to be dismissed.
4. *(New, SG No. 82/2009)* Upon a decision of the Minister of Transport and Communications - within one month's notice.

(11) The Management Board (Board of Directors) shall:

1. elect from among its members a Chairperson and a Deputy Chairperson;
2. adopt draft rules and regulations for the constitution, functions, and activities of the "Air Traffic Control" State-owned Enterprise and shall present them to the Minister of Transport and Communications, for endorsement;
3. present a programme for the development of the "Air Traffic Control" State-owned Enterprise to the Minister of Transport and Communications, for endorsement;

- 3a. (*New - SG No. 16/2021*) adopts the business plan of the undertaking in accordance with Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for air traffic management / air navigation service providers and other network management functions of air traffic, repealing Regulation (EC) No 482/2008 and Implementing Regulations (EU) No 1034/2011, (EU) No 1035/2011 and (EU) 2016/1377, and amending Regulation (EU) No 677/2011 (OJ L 62/1 of 8 March 2017), which also contains the key areas of activity, performance indicators and targets and their implementation, in accordance with Implementing Regulation (EU) 2019/317; the part of the business plan of the enterprise, referring to the efficiency, must correspond to the set goals and tasks in the Efficiency Plan, developed by the National Supervisory Body under Art. 16c;
4. (*Last Amendment - SG No. 16/2021*) approve the Annual Financial Plan of the "Air Traffic Control" State-owned Enterprise in accordance with the requirements under item 3a;
5. approve the structure, staff-list, and payroll funds of the "Air Traffic Control" State-owned Enterprise in accordance with the Annual Financial Plan;
6. (*Amended, SG No. 67/2008*) Approve the Annual Financial Statement of the "Air Traffic Control" State-owned Enterprise;
7. (*Amended, SG No. 67/2008*) Appoint a registered auditor to certify the Annual Financial Statement;
8. make decisions on profit distribution and covering the losses;
9. make decisions about disposing, decommissioning, write-off, or liquidation of long-term fixed assets, about legal estate institution, and about leasing out real estates owned by the "Air Traffic Control" State-owned Enterprise;
10. adopt draft resolutions on the participation/membership of the "Air Traffic Control" State-owned Enterprise in international organisations and present them to the Minister of Transport and Communications for endorsement; make decisions about the co-operation of the "Air Traffic Control" State-owned Enterprise with cognate organisations in aviation;
11. perform other functions relative to the management of the "Air Traffic Control" State-owned Enterprise pursuant to the applicable pieces of legislation, or assigned to the Board by the Minister of Transport and Communications.
- (12) (*New, SG No.82/2009*) The Governing Council may adopt decisions if there is a personal attendance of at least half of its members or if they are represented by another member of the council. No present member of the council may represent more than one member absent. Representation is possible if there is an explicit power of attorney for each case.
- (13) (*Repeal, SG No. 63/2010*).
- (14) (*New, SG No.82/2009*) The Governing Council may adopt decisions and in case of absence of all members provided that they have given their explicit consent in writing on the decision.

#### **Article 53d**

##### **(New, SG No. 34/2001 - effective 1.01.2001)**

- (1) The Director General of the "Air Traffic Control" State-owned Enterprise shall:
1. represent the "Air Traffic Control" State-owned Enterprise before government bodies, courts and third parties in this country and abroad;
  2. administer the overall business of the "Air Traffic Control" State-owned Enterprise;
  3. conclude contracts and agreements about the activities carried out by the "Air Traffic Control" State-owned Enterprise;
  4. conclude and terminates employment agreements with workers and employees of the "Air Traffic Control" State-owned Enterprise;
  5. give account for his management activities to the Management Board (Board of Directors).
- (2) The Director General may delegate some of his/her powers under paragraph (1) above to other employees/officers of the "Air Traffic Control" State-owned Enterprise.

#### **Article 53e**

*(Repeal, SG No. 82/2009)*

**Article 54**

*(Repeal, SG No. 85/1998)*

**Article 55**

*(Last Amendment - SG No. 16/2021)*

Any flight of aircraft shall be allowed in controlled airspace only with the permission of the air traffic control authorities in the "Air Traffic Control" State-owned Enterprise.

**Article 56**

*(Last Amendment - SG No. 16/2021)*

All instructions given by air traffic control authorities in the "Air Traffic Control" State-owned Enterprise shall be positively binding upon aircraft operating crews.

**Article 57**

*(Last Amendment - SG No. 16/2021)*

In case of emergency representing an imminent danger to the flight, an aircraft commander shall have the power to take a decision to deviate from the flight plan and from the instructions as given by air traffic control authorities in the "Air Traffic Control" State-owned Enterprise. The aircraft commander shall immediately notify the air traffic control authorities of the State Enterprise "Air Traffic Management" of the decision taken.

**Article 58**

*(Last Amendment, SG No. 85/1998)*

Performance of aerobatics as well as any test and sports flights of civilian aircraft over settled (built-up) areas shall be disallowed.

**Article 59**

(1) The disposal of any objects from an aircraft in flight shall be prohibited.

(2) Should safety of flight necessitate the disposal of either objects or fuel from board an aircraft, this may be effected solely in strict compliance with the terms and procedures prescribed by the Minister of Transport and Communications.

(3) *(New, SG No. 52/2004)* Ejection of objects or cargo from aircraft during flight shall be allowed for purposes of providing aid to the population in natural calamities, disasters or industrial accidents as well as for providing assistance to passengers having sustained a flight accident, and only subject to prior coordination with the Civil Aviation Administration Directorate General.

**Article 60**

*(Last Amendment, SG No. 81/2011, in force as of 19.08.2012)*

(1) *(Last Amendment, SG No. 81/2011, in force as of 19.08.2012)* Parachute jumps and dropping of cargo by means of a parachute from aircraft located within the controlled airspace or over populated areas, with exception of the cases under par. 2, shall be carried out under terms and conditions defined by the Director of the Civil Aviation Administration Directorate General.

(2) *(New, SG No. 52/2004)* Parachute jumps and dropping of cargo by means of a parachute from aircraft shall be allowed for purposes of providing aid to the population in natural calamities, disasters or industrial accidents as well as in providing assistance to passengers having sustained a flight accident, and only subject to prior coordination with the Civil Aviation Administration Directorate General.

**Article 61**

*(Last Amendment - SG No. 32/2026, in force as of 16.04.2026)*

(1) *(Last Amendment - SG No. 32/2026, in force as of 16.04.2026)* Flights of un powered or unmanned aircraft in the airspace of the Republic of Bulgaria, inclusive of those intended for sports, pleasure or training, shall be sanctioned by the Director General of the Directorate General of Civil Aviation Administration.

(2) Flights of aircraft not carrying radio equipment shall be authorised by the authority specified in Article 50, paragraph (5) hereof.

### **Article 62**

*(Last Amendment - SG No. 16/2021)*

(1) *(Last Amendment - SG No. 16/2021)* An aircraft that has entered the airspace of the Republic of Bulgaria without a permit or is without a state registration mark, or does not obey the instructions of the authorities managing and controlling the flights, or has sufficient grounds to assume that it will be used for purposes incompatible with the purposes of civil aviation, is considered an infringer and is forced to land.

(2) *(Last Amendment, SG No. 85/1998)* An aircraft that has been ordered to make a landing shall be required to do so at an appropriate airport. Its flight may be continued solely by the permission of the air traffic control authorities.

(3) *(Last Amendment - SG No. 16/2021)* The mode of procedure for forcing an aircraft which has transgressed the regulations of this Act to make a landing, as well as the mode of procedure for allowing such aircraft to continue its flight shall be prescribed in an ordinance enacted by the Council of Ministers on the proposal of the Minister of Defense, the Minister of Transport and Communications, the Minister of Interior, the Minister of Foreign Affairs and the Chairman of the State Agency for National Security.

(4) *(Former paragraph (3) - SG No. 85/1998)* Any damages resulting from a forced landing shall be sustained by the transgressor.

### **Article 62a**

*(New, SG No. 81/2011)*

(1) The direction of laser beams or other light of high intensity to an aircraft in a manner that blinds the crew or creates conditions for damaging the aircraft and/or injuring its personnel or passengers shall be prohibited.

(2) The Director of the Civil Aviation Administration Directorate General shall establish zones within the airport areas, where the use of laser beams or other directed light of high intensity shall be prohibited or restricted.

### **Article 62b**

*(New - SG No. 87/2025)*

(1) The operation of unmanned aircraft without permission is prohibited in:

1. the geographical areas of unmanned aircraft systems in which their operation is restricted or prohibited;
2. the controlled airspace structures activated in accordance with the regulation under Art. 2a, para. 2;
3. the guarded borders of airports for public use.

(2) In case of violation of the prohibition under para. 1, the unmanned aircraft shall be forced to land or coercive measures shall be applied for its removal.

(3) The damages resulting from the forced landing of the unmanned aircraft or the forced removal under para. 2 shall be borne by the violator.

(4) The conditions and procedure for the forced landing of the unmanned aircraft and for the application of coercive measures for its removal shall be determined by an ordinance of the Council of Ministers upon a proposal by the Minister of Defense, the Minister of Transport and Communications, the Minister of Interior, the Minister of Foreign Affairs and the Chairman of the State Agency for National Security.

### **Article 62c**

*(New - SG No. 87/2025)*

(1) The provision of Article 62b shall not apply to the operation of unmanned aircraft for activities carried out in the public interest by state bodies for security, defense, national security, combating crime and preserving public order, ensuring fire safety and protection in the event of fires, disasters and emergencies, as well as for the needs of emergency medical care.

(2) The Minister of Transport and Communications, the Minister of the Interior, the Minister of Defence and the Minister of Health, in coordination with the Chairman of the State Agency for National Security, the Chairman of the State Agency for Intelligence, the Chairman of the State Agency for Technical Operations and the Head of the National Security Service, shall determine by ordinance the conditions and procedure for coordination of flights with state unmanned aircraft for the activities carried out under paragraph 1.

### **Article 63**

*(New - SG No. 87/2025)*

It is prohibited to create electromagnetic interference to the means and systems used in communication, navigation and surveillance for civil aviation, as well as to make unauthorized emissions in the radio frequency bands for civil aviation.

### **Article 64**

*(Last Amendment - SG No. 16/2021)*

(1) *(Last Amendment, SG No. 66/2008, in force as of 25.07.2008)* An airline operator is an entity registered pursuant to the Commerce Act or registered as a merchant under the legislation of an European Union member state or another country signatory to the European Economic Area Agreement, in possession of an airline operator's certificate attesting to the fact that the operator has the professional competence and logistical capacity to ensure the safe operation of aircraft in the performance of the air navigation activities listed in the said licence.

(2) *(Last Amendment - SG No. 1/2019)* High risk specialized trading operations shall be carried out under the conditions and by the order of the ordinance under para. 8:

1. following a permit issued by the Chief Directorate of the Civil Aviation Administration, in accordance with Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures in respect of air operations in accordance with Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296/1 of 25 October 2012), or

2. with a national aviation operator's certificate for specialized operations issued by the Chief Directorate of the Civil Aviation Administration General Directorate.

(3) *(New - SG No. 16/2021)* National certificate for aviation operator under the conditions and by the order of the ordinance under para. 9 is issued to operators operating aircraft falling under Annex N<sup>o</sup> 1 to Regulation (EU) N<sup>o</sup> 2018/1139.

(4) *(Former Par. 3 - SG No. 16/2021)* Airline operators shall be required to guarantee favourable conditions for continual and comprehensive control on the part of the "Civil Aviation Administration" Directorate General for the purpose of securing safety and security of flight.

(5) (Former Par. 4 - SG No. 16/2021) In the exercise of their controlling functions the "Civil Aviation Administration" Directorate General shall be governed by the principle of equality of all airline operators.

(6) (Former Par. 5 - SG No. 16/2021) Airline operators shall be required to insure:

1. their flight personnel against accident, and
2. their liability:
  - a) in respect of their passengers in case of accident;
  - b) in the event of loss or damage to luggage, cargo and mail;
  - c) in respect of third parties.

(7) (Former Par. 6 - SG No. 16/2021) Certificates to foreign airline operators shall be issued by the Civil Aviation Administration Directorate General.

(8) (Former Par. 7 - SG No. 16/2021) The "Civil Aviation Administration" Directorate General shall recognize the validity of a foreign airline operator's certificate provided it has been issued by the aviation administration of a state where the applicable requirements are either equivalent to this country's national requirements or surpass them.

(9) (Former Par. 8 - SG No. 16/2021) The terms and procedures for issuing certificates, permits and licenses shall be laid down by the Minister of Transport and Communications.

#### **Article 64a**

*(Last Amendment, SG No. 52/2004)*

(1) Commercial air flights shall be carried out by air carriers that are found to meet the provisions and requirements of this Act.

(2) The provision of Paragraph (1) shall not apply to commercial air transportation of passengers, luggage, cargo or mail performed by gliders or by ultra light self-propelled aircraft or flights not involving transportation between airports.

(3) Bulgarian air carriers are commercial entities registered pursuant to the Commerce Code or entities established by an act of the Council of Ministers possessing an airline operator's certificate and an air carrier's license.

(4) Each air carrier shall have in its possession, at all time, its own capital in the amount of no less than BGN 160,000.

(5) A Bulgarian air carrier's license is issued for an indefinite term to an entity which:

1. is registered pursuant to the Commerce Code or established by an act of the Council of Ministers for the performance of special-purpose flights;
2. has commercial air transportation as its main subject of activity, performed separately or in conjunction with other operation of aircraft, or repairs or technical servicing thereof;
3. has presented a thoroughly grounded business plan for the performance of its activity;
4. is in possession of a duly and properly issued airline operator's certificate;
5. has submitted proof of possession of its own capital as per Paragraph (4) and of its financial stability.

(6) In case where an air carrier fails to observe the requirements to supply information regarding its financial stability or is unable to fulfil its current or special duties for a period of 12 months, the Director of the Civil Aviation Administration Directorate General shall suspend its operation or shall withdraw its license, or shall issue to it a temporary license, valid until

restoration of the air carrier's financial stability, provided that flight safety of is not jeopardized.

(7) The Director of the Civil Aviation Administration Directorate General shall withdraw the license of an air carrier that has been declared bankrupt or is in liquidation.

(8) The Director of the Civil Aviation Administration Directorate General shall issue a temporary license to an air carrier which is subject to bankruptcy proceedings, for the period of adoption or implementation of a rehabilitation plan and subject to the conditions that flight safety is not jeopardized and that there is a realistic possibility for rehabilitation of the enterprise.

(9) The Director of the Civil Aviation Administration Directorate General shall suspend the operation or withdraw the license of an air carrier whose airline operator's license has been revoked or withdrawn.

### **Article 64b**

*(Last Amendment - SG No. 16/2021)*

(1) *(Last Amendment - SG No. 16/2021)* Special purpose flights are operated by a State Aviation Operator - a legal entity headed by a Director General, who is a secondary budget manager to the Minister of Transport and Communications, whose support is formed from budget funds and revenues from own activities. The provisions of the Administration Act do not apply to the State Aviation Operator.

(2) Special purpose flights shall be all flights carrying and serving:

1. the President of the Republic of Bulgaria;
2. the President (Speaker) of the National Assembly of the Republic of Bulgaria;
3. the Prime Minister of the Republic of Bulgaria;
4. *(Repeal, SG No. 52/2004)*
5. *(New, SG No. 37/2006)* Vice President of the Republic of Bulgaria;
6. *(Last Amendment, SG No. 37/2006)* foreign heads of state counterpart in rank to those listed under Items 1, 2, 3 and 5;
7. *(Former Item 6, SG No. 37/2006)* persons included in the delegation, accompanying teams, security, and their luggage – in all cases pursuant to items 1 to 5.

(3) *(Last Amendment - SG No. 16/2021)* In order to perform special purpose flights The State Aviation Operator may lease aerial devices by way of "wet" leasing agreement from aviation operators possessing aviation operator certificate which shall include "transfer of passengers" as permitted activity.

(4) *(Last Amendment - SG No. 16/2021)* During the performance of special purpose flights and in all cases when The State Aviation Operator performs flights serving purposes of ministries and agencies, payment therefore shall be made from the budget of the respective ministry or agency.

(5) *(Last Amendment - SG No. 16/2021)* For the purpose of performing its operation, The State Aviation Operator shall award public procurement contracts subject to the provisions of the Public Procurement Act, except in cases of an insurmountable force where the statutory time limits for conducting a public procurement procedure render impossible the performance of special purpose flights as per Paragraph (2) above.

(6) *(Last Amendment - SG No. 16/2021)* The nature of business, functions, and strength of The State Aviation Operator shall be laid down in a by-law endorsed by the Council of Minister on advice of the Minister of Transport and Communications.

(7) *(Repeal - SG No. 38/2012, in force as of 01.07.2012)*

(8) *(Last Amendment - SG No. 16/2021)* Staff members of The State Aviation Operator working there as officers or under employment contracts shall also receive a food allowance that shall be tax-exempt and shall not be included in their gross monthly wage. The amount of such food allowance shall be fixed annually by the Director-General of The State Aviation Operator in agreement with the Minister of Transport and Communications or an official authorized by him.

#### **Article 64c.**

*(New - SG No. 15/23.02.2016)*

The air carriers are obliged to provide passenger name data about the passengers they carry to, on and out of the territory of the Republic of Bulgaria, to the National Passenger Information Unit for Receiving and Processing Passenger Name Record Data of the Passengers in the Republic of Bulgaria Carried by Air, under terms and procedure specified with the State Agency for National Security Act.

### **Chapter Six**

## **CONTRACT OF CARRIAGE OF PASSENGERS**

#### **Article 65**

*(Last Amendment, SG No. 52/2004)*

Under the contract of carriage of passengers by air a professional carrier shall engage to transport a passenger and his baggage from one place to another in consideration of a fare agreed upon between them, either with an aircraft of his own or with a hired or leased one.

#### **Article 66**

(1) A contract of carriage of passengers shall be evidenced by a passenger ticket and the registration of baggage — by a baggage check.

(2) The irregularity of the passenger ticket, its absence during the carriage, or its loss shall not affect the existence or the validity of the contract of carriage whereas the relations between the carrier and the passenger shall be subject to the rules of this Act.

Article 67

#### **Article 67**

(1) *(Last Amendment, SG No. 85/1998)* An airfare shall cover also the carriage of baggage in such amounts or of such size as fixed by the carrier.

(2) Baggage exceeding the fixed amount/size shall be accepted for carriage by the same aircraft in consideration of an additional price.

#### **Article 68**

*(Last Amendment - SG No. 87/2025)*

Employees of the General Directorate of Civil Aviation Administration, when traveling on business, and other persons, when traveling in connection with the performance of tasks directly related to the activities of the General Directorate of Civil Aviation Administration or in accordance with international conventions, treaties and rules, may receive official tickets for free travel if there are free seats on the aircraft.

#### **Article 69**

(1) Each party shall be entitled to cancel the contract on account of a declared or raging war representing danger to the carriage, or because of a blockade of either the departure or the

destination airport, or in view of the aircraft's detention by the competent authorities, or due to the closure of either the departure or the destination airport on the order of the authorities, or on account of other suchlike obstacles.

(2) In the event of contract cancellation for any of the reasons specified in the preceding paragraph, the passenger shall be entitled to request refund of the full fare providing the cancellation preceded the commencement of carriage, and where the cancellation was made in the course of carriage — of the difference between the ticket fare and the price of the carriage effectively performed.

**Article 70**

*(Repeal, SG No. 37/2006)*

**Article 70a**

*(Repeal, SG No. 52/2004)*

**Article 71**

*(Last Amendment - SG No. 89/17.11.2015)*

The traveler may withdraw from the contract and get back the transport fare in case of illness, including of a member of his family, who will travel with him, ascertained by the respective medical institution.

**Article 72**

*(Last Amendment, SG No. 85/1998)*

In the event no carriage has been performed on account of the demise of a passenger, or of a family member, or of a parent, a brother or a sister, as well as of a collateral kinsman up to the second degree, the carrier shall be required to refund the full airfare.

**Article 73**

*(Last Amendment, SG No. 63/2010)*

(1) *(Last Amendment, SG No. 63/2010)* No passenger in an intoxicated condition, or ill with an infectious disease, as well as mentally ill representing danger to the other passengers or to the security of flight shall be admitted to carriage and those who refused the security screening, including their luggage.

(2) Any passenger violating the existing rules of travel and manners on board an aircraft, or disobeying the aircraft commander, may be forced to leave the aircraft at the destination or stopover airport with no right to ask refund of the airfare paid.

**Article 74**

(1) A carrier shall be held liable for any damage caused in the event a passenger is injured or dies where the accident that caused such damage occurred on board the aircraft, or while boarding or leaving it, or during any action related thereto.

(2) *(Last Amendment, SG No. 85/1998)* Such liability shall be discharged in accordance with the laws of the Republic of Bulgaria and in compliance with all the international conventions and agreements to which the Republic of Bulgaria is a signatory.

**Article 75**

A carrier shall be held liable for the loss of or damage to the registered baggage provided that the occurrence that caused the prejudice took place during the time the baggage was in the charge of the carrier.

**Article 76**

*(Last Amendment - SG No. 89/17.11.2015)*

Upon carriage of luggage, the liability of the carrier shall be pursuant to the requirements of the Convention for the Unification of Certain Rules for International Carriage by Air, done at Montreal on May 28, 1999 (ratified by law – SG, № 67 of 2003) (SG № 6 of 2004) and Regulation (EC) № 2027/97 of 9 October 1997 of the Council on air carrier liability in case of accidents.

#### **Article 77**

*(Last Amendment, SG No. 52/2004)*

A carrier shall be relieved from liability for damages caused due to a delay if he proves that he had taken all the necessary measures to avoid the damage or that it was impossible for him to take such measures.

#### **Article 78**

The loss of or damage to a passenger's baggage or personal effects shall be evidenced by a written statement of findings drawn up in compliance with the rules and procedures set forth in Chapter XI of this Act.

#### **Article 79**

In case a passenger fails to notify the carrier in writing of the loss of or damage to his baggage within the time limits prescribed in Chapter XI hereof, it shall be deemed that the baggage was delivered to him in good shape and in accordance with the passenger ticket or the baggage check.

#### **Article 80**

A carrier shall be relieved from liability for loss or damage to a passenger's baggage resulting from:

- a) the peculiar nature of the baggage (inherent vice);
- b) faulty packing that could not possibly be noticed at the time of registration;
- c) failure to indicate in the document of carriage the peculiar nature of the baggage requiring special storage conditions.

#### **Article 81**

Applicable to mixed-carrier transportation and to carriage by two or more air-carriers shall be the provisions of Articles 108 and 109 hereof.

#### **Article 81a**

*(New, SG No. 66/2008, in force as of 25.07.2008)*

(1) Air carriers shall cause the relevant measures to be undertaken and shall provide assistance to a person of disability or reduced mobility in accordance with Regulation № 1107/2006 (EC).

(2) Where the measures undertaken or the assistance provided to such person of disability or reduced mobility do not comply with Regulation № 1107/2006 (EC), the air carrier shall owe compensation to such person for damages caused.

(3) A claim for damages shall be filed against the air carrier before the relevant court.

### **Chapter Seven**

## **CONTRACT OF CARRIAGE OF CARGO**

#### **Article 82**

(1) *(Last Amendment, SG No. 52/2004)* Under the contract of carriage of cargo by air a carrier shall engage to haul to a determined place the cargo lawfully delivered or to be delivered to him by a shipper in consideration of a price, either with an aircraft of his own or with a leased or hired one, and to deliver such cargo to its destination.

(2) Upon receipt of the cargo the carrier shall issue an air waybill.

#### **Article 83**

*(Repeal, SG No. 85/1998)*

**Article 84**

(1) The absence, irregularity or loss of the air waybill shall not affect the existence or validity of the contract of carriage.

(2) Cargo belonging to air-transport undertakings or shipped by them ex officio may be carried gratuitously by ex officio air waybills.

**Article 85**

(1) *(Last Amendment, SG No. 85/1998)* A shipper shall be required to indicate in the air waybill the precise name of cargo and its peculiar qualities, if any, as well as the type of packing.

(2) *(Last Amendment, SG No. 70/2004, in force as of 01.01.2005)* The shipper shall submit the cargo along with all documents required by the healthcare, customs and other authorities.

**Article 86**

The shipper shall owe compensation to the carrier or to third parties for damages resulting from untrue, incorrect or incomplete data entered in the air waybill.

**Article 87**

(1) A shipper shall be entitled to request cancellation of the contract of air carriage within the following time limits:

a) minimum seven (7) days prior to the day of the flight whereas he shall be required to pay a penal sum of ten (10) percent on the determined or agreed price;

b) minimum three (3) days prior to the day of the flight whereas he shall be required to pay a penalty of thirty (30) percent on the determined or agreed price.

(2) The parties shall have the right to agree on shorter terms as well.

**Article 88**

(1) In the case a shipper fails to deliver the cargo for shipment, he shall pay the full tariff or the agreed haulage price. If another shipper's cargo was carried on the same flight instead of the undelivered one, the failing shipper shall be required to pay fifty (50) percent of the haulage charge.

(2) A shipper shall not be answerable if the failure to deliver cargo for shipment was due to irresistible force or to an accident in the manufacturing enterprise resulting in cessation of manufacture for more than three (3) days and nights.

**Article 89**

Improperly packed cargo shall be accepted for shipment for the account and risk of the consignor of which there shall be a note in the air waybill.

**Article 90**

(1) A consignor shall be allowed to make a statement as to the value of the cargo delivered for shipment. The stated value shall not exceed the actual value of the cargo. Making a statement of the value shall be mandatory with respect to cargo whose actual value is impossible to estimate in case of loss or destruction.

(2) A fee shall be charged on the statement of value in accordance with a tariff.

(3) No statement of value shall be allowed with respect to cargo accepted for shipment with faulty packing for the account and risk of the consignor, to perishable and dangerous goods, as well as to attended cargo.

### **Article 91**

*(Last Amendment – SG No. 73/2010 in force as of 17.09.2010)*

Dangerous goods excluded from concurrent carriage with passengers, as well as the regulations for the carriage of explosives, ammunition, pyrotechnics, toxic and inflammable substances, perishable goods, animals, birds and insects, deceased and mortal remains, radioactive material, filming and photographic cameras, radio equipment, unpacked cargo, etc. shall be determined by the Minister of Transport and Communications, in concert with the heads of the respective ministries and administrations.

### **Article 92**

(1) In the event of a breakdown of the aircraft or its equipment in the course of the carriage jeopardising the cargo or the progression of the flight the carrier shall be under the obligation to notify the consignor.

(2) In case that giving notification as per the preceding paragraph proves impossible, or in case instructions have been received from the consignor that could not be possibly carried out, the carrier may transfer the cargo to another aircraft of his own or to one hired by him, or to another carrier's aircraft.

### **Article 93**

While carrying a cargo a carrier shall be bound to follow the particular route that has been established or agreed. A deviation from such route for reasons of safety of flight or for the purpose of extending assistance on the part of the aircraft commander shall not be treated as a breach of contract and the carrier shall not be answerable for any damages resulting there from.

### **Article 94**

A carrier shall be under the obligation to deliver the cargo to the destination within the prescribed period of time, if such period of time has been stipulated in the contract.

### **Article 95**

(1) The cargo along with the air waybill shall be delivered to the consignee specified in the waybill or to his lawful agent.

(2) Delivery of cargo to customs or other authorities effected in compliance with statutory provisions shall be treated as delivery to the consignee.

### **Article 96**

(1) In the event the consignee refuses to take delivery of the cargo or fails to appear within three (3) days, and in the case of perishable goods within forty eight (48) hours, the carrier may return the cargo to the origin airport or to deliver it in safekeeping for the account and risk of the consignor of which he shall be notified.

(2) In the event delivery of the cargo is not taken within forty five (45) days or if no instructions are received from the consignor in the meanwhile, the appropriate measures shall be taken to dispose of the cargo.

(3) Expenses incurred in connection with the safekeeping, disposal and other incidentals shall be recovered from the proceeds from the disposal and the remainder shall be transferred to the consignor.

(4) Disposal of cargoes shall be carried out under such terms and procedures as laid down by the Minister of Transport and Communications and the Minister of Justice.

### **Article 97**

In case that the consignee has failed to notify the carrier in writing of any loss or damage to the cargo before its delivery has been completed, it shall be considered, unless the contrary has been proved, that he has taken delivery of the cargo in conformance with the air waybill.

#### **Article 98**

In any event of loss or damage to the cargo ascertained up to the time of its delivery to the consignee, a written statement of findings shall be drawn up, a copy of which shall be handed to the consignee.

#### **Article 99**

The Minister of Transport and Communications shall determine the types of cargo that must be carried with an attendant person. In all such cases the attendant person must be provided with a full-fare passenger ticket.

#### **Article 100**

A carrier shall be under liability for the safety of the cargo from the time it is delivered to him for shipment until the cargo has been delivered to the consignee or in safekeeping.

#### **Article 101**

(1) A carrier shall be relieved from liability if he proves that he had taken all the necessary measures to avoid the damage or that it was impossible for him to take such measures.

(2) A carrier shall be relieved also from liability when the damage has resulted from:

- a) fault of the consignor (shipper) or of the consignee;
- b) the natural properties of the cargo and the natural reduction in its weight within the established norms;
- c) faulty packing that could not possibly be noticed at the time of taking the cargo;
- d) faulty packing where the cargo has been accepted as improperly packed and a note has been made thereof in the air waybill to the effect that the carriage will be performed for the account and risk of the consignor;
- e) failure of the attendant person to secure the safety of the cargo;
- f) failure to indicate in the air waybill the peculiar nature of the cargo requiring special storage conditions.

#### **Article 102**

A carrier shall be relieved from liability for failure to provide an aircraft if that was the result of irresistible force, acts of warfare, meteorological and other reasons outside of his control.

#### **Article 103**

For damages caused during carriage of cargo a carrier shall be required to pay compensation in the following amounts:

- a) in case of loss of cargo delivered for shipment with a statement of value — the value stated. If the carrier can prove that the stated value exceeded the actual one, compensation shall be paid in the amount of the actual value;
- b) (*Last Amendment, SG No. 85/1998*) in the event of loss or damage to cargo — the actual value of the lost or damaged cargo, but not to exceed BGN 40 (forty) per kilogram of gross weight.

#### **Article 104**

In addition to the compensation under Article 103 the carrier shall be obliged to refund also any haulage and additional charges that have been paid for the lost or irrecoverably damaged portion of the cargo.

#### **Article 105**

(1) For failure of the carrier to deliver the cargo within the prescribed time, if such time has been agreed upon, he shall pay to the consignee compensation in the amount of ten (10) percent on the haulage charges for each day of delay, but no more than fifty (50) percent of the carriage price.

(2) In case the consignee fails to take delivery of the shipped cargo within one day and night after he has been notified thereof, and where under the contract such notification had to be given by the consignor — within two days and nights following the receipt of the cargo in the destination airport, he shall be required to pay to the carrier compensation in the amount of ten (10) percent on the haulage charges for each day of delay, but no more than fifty (50) percent of the carriage price.

(3) It may be stipulated in a contract of carriage that the carrier should incur a heavier measure of liability for delay in delivery than the liability laid down in this Act.

#### **Article 106**

In case a cargo has not been delivered within ten (10) days after the day it should have been delivered, it shall be treated as lost.

#### **Article 107**

Air carriage of cargo shall not cover carriage by land, sea or inland water outside of airports. If such carriage has been effected under a contract of air carriage for the purpose of loading or re-loading cargo on board an aircraft, or for the purpose of delivery to the consignee, it shall be considered, unless otherwise proved, that the damage was caused during the air carriage.

#### **Article 108**

In the event of mixed-carrier transportation in which the cargo is carried in portion by air and in portion by other means of Transport, Information Technology and Communications, the provisions of this Act shall apply to the portion of air carriage and to that portion only.

#### **Article 109**

In case of carriage by two or more air carriers, as well as in the case of mixed-carrier transportation, all carriers shall be held solidarily liable should it prove impossible to ascertain who is answerable for the damage.

### **Chapter Eight**

## **CONTRACT FOR AIR SERVICES**

*(Chapter Eight Repeal, SG No. 85/1998)*

### **Article 110 - 112**

*(Repeal, SG No. 85/1998)*

### **Chapter Nine**

## **AVIATION SPORTS**

*(Chapter Nine Repeal SG No. 85/1998)*

### **Article 113 - 119**

*(Repeal, SG No. 85/1998)*

#### **Article 119a**

*(Repeal, SG No. 81/2011)*

#### **Article 119b**

*(Repeal, SG No. 81/2011)*

#### **Article 119c**

*(Repeal, SG No. 81/2011)*

#### **Article 119d**

*(Repeal, SG No. 81/2011)*

### **Chapter Nine "A"**

**FLIGHTS WITH NON-COMMERCIAL PURPOSE**  
**(New, SG No. 81/2011, in force as of 19.08.2012)**

**Article 119e**

*(New, SG No. 81/2011, in force as of 19.08.2012)*

(1) A flight with non-commercial purpose is any flight different than a flight for conduction of commercial operation with an aircraft, including sports flights, glider towing flights, parachute jumps flights and training flights when conducted free of charge.

(2) The Minister of Transport and Communications shall establish the terms and conditions for the flights under par. 1 upon a proposal from the Director of the Civil Aviation Administration Directorate General.

**Article 119f**

*(Last Amendment - SG No. 16/2026)*

(1) Persons having certificate from the Director of the Civil Aviation Administration Directorate General or an official authorized by the Director may carry out one or more of the following activities:

1. airworthiness maintenance control and airworthiness review certification for ultra -light aircrafts conducting flights with non-commercial purpose;
2. training for acquisition and maintenance of qualification for pilots and persons training pilots of ultra-light aircrafts conducting flights with non-commercial purpose, under programs approved by the Director of the Civil Aviation Administration Directorate General, as well as providing of certificates for completed training;
3. control over persons training pilots of ultra -light aircrafts conducting flights with non-commercial purpose;
4. training for acquisition and maintenance of qualification for persons providing technical services, as well as for persons training technical service personnel for ultra-light aircrafts conducting flights with non-commercial purpose, as well as providing of certificates for completed training;
5. control over persons training technical service personnel for ultra -light aircrafts conducting flights with non-commercial purpose;
6. control with regard to pilots carrying out flights with non-commercial purpose with ultra-light aircrafts;
7. control over persons providing technical services to ultra-light aircrafts conducting flights with non-commercial purpose;
8. training of and/or control over persons practicing aviation sports, as well as approval of and control over persons training sportspersons practicing aviation sports.
9. *(New - SG No. 16/2026)* approval and/or control of parachutes, parachute systems and parachute equipment used for training, sports and entertainment, other than rescue parachutes that are part of the aircraft, as well as parachute systems used for parasailing;
10. *(New - SG No. 16/2026)* approval and/or control of persons who service (assemble, pack, repair) parachutes, parachute systems and parachute equipment used for training, sports and entertainment, as well as parachute systems used for parasailing;
11. *(New - SG No. 16/2026)* approval and/or control of paragliders and/or hang gliders and related equipment used for training, sports and entertainment;
12. *(New - SG No. 16/2026)* approval and/or control of persons who service and repair paragliders and/or hang gliders and related equipment used for training, sports and entertainment.

(2) The certificate under par. 1 shall be issued to a person that:

1. is registered under the Commerce Act, or is registered as a merchant under the legislation of a Member State of the European Union or of another state party to the European Economic Area Agreement, under the Legal Person with Non-Profit Objective Act, or is a legal person with a Non-Profit objective under the legislation of a Member State of the European Union;

2. has submitted a guide on activity approved by Director of the Civil Aviation Administration Directorate General;
  3. has submitted a list of the managing personnel approved by Director of the Civil Aviation Administration Directorate General;
  4. has personnel having qualification and experience necessary to conduct the respective activity;
  5. has submitted a description of a quality system and has indicated a quality manager approved by Director of the Civil Aviation Administration Directorate General.
- (3) The Minister of Transport and Communications defines with an ordinance the terms and conditions for establishing that the persons under par. 1 comply with the requirements and the procedure for certification under par. 1, as well as the terms and conditions for carrying out the activities under par. 1.
- (4) The Director of the Civil Aviation Administration Directorate General shall refuse certification under par. 1, where the applicant does not meet one of the conditions under par. 2, regulated in details in the ordinance under par. 3.
- (5) The persons under par. 1 shall be insured for their liability for damages caused by them in relation with the activities carried out by them.
- (6) Fees shall be collected for the certification under par. 1 in the amounts and under the terms and conditions established by the Council of Ministers.

#### **Article 119g**

*(New, SG No. 81/2011, in force as of 19.08.2012)*

- (1) The organization and carrying out of sports events in the sphere of aviation sports, as well as of public aviation events, shall be conducted in conditions providing for the safe carrying out of such activities, as well as for the safety of third persons, under terms and conditions defined by the organizers and approved by the Director of the Civil Aviation Administration Directorate General.
- (2) Persons engaged in activities in aviation sports and public aviation events, shall insure the seats in the aircrafts, as well as the aviation personnel and their liability in case of accident – with regard to third persons.

### **Chapter Ten**

#### **FEES**

#### **Article 120**

*(Last Amendment - SG No. 87/2025)*

- (1) *(Last Amendment, SG No. 52/2004)* In airports open to public use, airport fees shall be collected for:
1. landing of aircraft;
  2. parking;
  3. *(Last Amendment, SG No. 81/2011)* passengers;
  4. *(New, SG No. 37/2006)* use of airbridge;
  5. *(New, SG No. 81/2011, in force as of 19.04.2012)* safety;
  6. *(New, SG No. 81/2011, in force as of 19.04.2012)* noise (environmental fee).
- (2) *(Last Amendment, SG No. 37/2006)* The "Air Traffic Control" State-owned Enterprise shall collect:
1. fees for air navigation servicing and use of navigation facilities of Air Traffic Control State-owned Enterprise within airport zones and regions;
  2. travel fees for flight through the controlled airspace of the Republic of Bulgaria.
- (3) *(Last Amendment, SG No. 63/2010)* Exempted from payment of fees pursuant to paragraph (1) and pursuant to paragraph 2 shall be:
1. aircraft in search and rescue flights;

2. aircraft engaged in humanitarian missions;
3. governmental aircraft engaged in governmental flights;
4. *(Repeal, SG No. 34/2001, in force as of 1.01.2001)*
5. aircraft in distress or subjected to unlawful intervention;
6. *(Repeal, SG No. 63/2010);*
7. aircraft engaged in control flying over the air navigation facilities;
8. aircraft flying in special circumstances specified in an enactment of the Council of Ministers.

(4) The "Civil Aviation Administration" Directorate General shall charge and collect fees for administrative services and procedures for:

1. *(Last Amendment - SG No. 87/2025)* issuance of certificates to airports for registration and annual compliance inspection of airports;
- 1a. *(New - SG No. 1/2019)* issuance of certificates under Regulation (EU) No 139/2014;
2. issuance of licenses to airport operators and ground service operators;
3. *(Last Amendment - SG No. 87/2025)* issuance of aviation personnel certificates and security personnel certificates as well as for entry, extension of validity or renewal of the qualification class to certificates of competency;
4. issuance of licenses to carry out technical servicing or repair of aircraft and aviation equipment;
5. issuance of licenses to objective control laboratories;
6. issuance of certificates of aircraft airworthiness;
7. issuance of certificates of airworthiness for aircraft and aviation equipment;
8. *(Last Amendment - SG No. 16/2021)* issuance of certificates of aviation training centers, certificates of approved training organizations, certificates of an approved organization for assessment of language competence for the needs of civil aviation, as well as examination of declarations under Commission Regulation (EU) 2018/1119 of 31 July 2018 amending Regulation (EU) No 1178/2011 as regards declared training organizations (OJ L 204/13 of 13 August 2018) and Regulation (EU) 2018/1139;
9. *(Last Amendment - SG No. 16/2021)* issuance of certificates to air operators, authorizations for high-risk commercial operations, national certificates for air operator, list of special approvals as well as the examination of declarations in accordance with Regulation (EU) No 965/2012 under terms and conditions established by the Ordinance under Art. 64, para. 9;
10. aircraft registration or registration of changes in the Civil Aircraft Register and issuance of certificates of registration;
11. provision of information related to air navigation excluding the information provided for the purposes of the civil service administration.
12. *(Last Amendment - SG No. 99/2011, in force as of 01.01.2012)* issuance of certificates of operability to visual air navigation facilities.
13. *(Repeal - SG No. 16/2021, in force as of 25.02.2022)*
14. *(New, SG No. 52/2004)* issuance of permanent ground passes to the security zones of civilian airports for public use, and of ID cards to personnel and motor vehicles;
15. *(New, SG No. 52/2004)* issuance of air carrier's licenses;
16. *(New, SG No. 52/2004)* issuance of aviation noise certificates to aircraft;
17. *(New, SG No. 52/2004)* issuance of certificates of gaseous emission from aircraft engines;
18. *(New, SG No. 52/2004)* issuance of certificates of airworthiness of newly-built aircraft or aviation equipment;
19. *(New, SG No. 52/2004)* issuance of export certificates of airworthiness;
20. *(New, SG No. 52/2004)* issuance of certificates of airworthiness to the respective type of aircraft;
- 20a. *(New, SG No. 37/2006)* issuance of certificate of performance of air navigation service;

21. *(Last Amendment - SG No. 16/2021)* confirmation, recognition or re-issuance of licenses, testimonials, attestations, certificates, permits, declarations and documents, including those issued by a third country;
  22. *(Last Amendment - SG No. 16/2021)* carrying out checks on conformity, re - issuance, certification or amendment of licenses, documents, attestations, certificates, permits, approvals or declarations;
  23. *(New, SG No. 81/2011)* issuance and supplementation of flight and technical documentation;
  - 23a. *(New - SG No. 87/2025)* assignment of a 24-bit identification code to a transponder operating in S-mode;
  24. *(Last Amendment - SG No. 87/2025)* issuance of flight permits and for issuing a special permit to perform a flight for aircraft not complying with a type certificate;
  25. *(New, SG No. 81/2011)* coordination opinions under Art. 16b (1), pt. 6, with exception of the opinions provided for the state administration;
  26. *(Repeal - SG No. 60/2012)* ;
  27. *(Last Amendment - SG No. 16/2021)* issuance of a certificate for aero-medical centers or AME, approval of an organization conducting courses in aviation medicine, review of a declaration of occupational medicine specialists;
  28. *(New - SG No. 16/2021)* conducting theoretical examinations of aviation personnel and issuing certificates for successfully passing theoretical examinations;
  29. *(New - SG No. 16/2021)* issuance and extension of the validity of the approval for use of a training simulator or simulator;
  30. *(New - SG No. 16/2021)* issuing approvals to a full-fledged controller (regulated agent), a known consignor, a full-fledged supplier of goods for flights, and designating an air carrier as "an air carrier of goods or mail carrying an airport from a third country to the territory of the European Union";
  31. *(New - SG No. 16/2021)* approval of security programs of operators and persons obliged to develop, implement and maintain a security program;
  32. *(New - SG No. 16/2021)* registration of an operator of an unmanned aerial system according to art. 14 (5) of Implementing Regulation (EU) 2019/947, issuance of a certificate of operator of a light unmanned aerial vehicle system ("LUC"), authorization to operate in a specific category; authorization to operate an unmanned aerial vehicle system in clubs and associations for aircraft modeling, as well as consideration of declarations, under conditions and by order, determined by the ordinance under Article 16a, item 19.
  33. *(New - SG No. 87/2025)* issuance of a single certificate for the operator of passenger service facilities for airports falling within the scope of Regulation (EU) 2018/1139, as well as for an annual check for compliance with the requirements under which the certificate was issued.
- (5) *(Last Amendment, SG No. 66/2008, in force as of 25.07.2008)* Airport fees as per Paragraph (1), in respect of civilian airports constituting public state property, shall be collected:
1. *(Last Amendment, SG No. 81/2011)* by the Civil Aviation Administration Directorate General, if not provided otherwise pursuant to this Act, a concession agreement or an international treaty duly ratified, promulgated and effective in the Republic of Bulgaria;
  2. *(Last Amendment - SG No. 96/2017, in force as of 03.01.2018)* by the concessionaire - under the terms and conditions specified in the concession contract;
  3. in cases of an international treaty duly ratified, promulgated and effective in the Republic of Bulgaria, subject to the terms and conditions as provided therein;
  4. *(New, SG No. 81/2011)* by the airport operator of the airport with an annual traffic exceeding five million passengers or the airport with the highest number of passenger transports on the territory of the Republic of Bulgaria.

(6) *(New, SG No. 52/2004)* In cases as per Paragraph (5) item 2, the concessionaire may be given the right to collect, for its own benefit, the fees, whether in full or a portion thereof, as per Article 122.

(7) *(Last amendment - SG No. 94/2010, in force as of 01.01.2012)* Fees collected under this Article shall be tax-exempt, with the exception of cases as per Par. (2) and Par. (5) item 2.

(8) *(New, SG No. 66/2008, in force as of 25.07.2008)* In cases other than those as per Paragraph (5) above, airport fees shall be collected by the owner of the airport.

(9) *(New - SG No. 16/2021)* The airport taxes under par. 1 and the interests on them, determined by the order of the ordinance of art. 122, para. 1, are public state receivables, when they are collected in the cases under para. 5, item 1 or when collected at a civil airport for public use - state property, which is used by an airport operator - a commercial company in which the state is the sole owner of the capital.

#### **Article 120a**

*(Repeal, SG No. 81/2011)*

#### **Article 121**

*(Repeal, SG No. 85/1998)*

#### **Article 122**

*(Last Amendment - SG No. 16/2021)*

(1) *(Last Amendment - SG No. 16/2021)* The Council of Ministers, on advice of the Minister of Transport and Communications, shall fix with regulation the fee amounts and lay down the tax-charging procedures, as well as all cases where such taxes shall be charged, except the cases under Par. (2).

(2) *(Last Amendment - SG No. 16/2021)* The airport operator of the airport with an annual traffic exceeding five million passengers or the airport with the highest number of passenger transports on the territory of the Republic of Bulgaria, or the Director of the Civil Aviation Administration Directorate General adopts the level of the airport fees with a decision, following the procedure under Arts. 122f - 122q.

### **Chapter Ten "A"**

**(New, SG No. 16/1997)**

## **FINANCING THE OPERATIONS OF THE "AIR TRAFFIC CONTROL" STATE-OWNED ENTERPRISE**

#### **Article 122a**

(1) *(Repeal, SG No. 34/2001, effective 1.01.2001)*

(2) *(Last Amendment, 34/2001, in force as of 01.01.2001)* The operations of the "Air Traffic Control" State-owned Enterprise shall be financed from:

1. *(Last Amendment, No. 37/2006)* fees collected pursuant to Article 120 (2) hereof;
2. funds under credit agreements;
3. *(New, SG No. 85/1998)* interests on deposits of own funds and on overdue receivables;
4. *(Last Amendment, SG No. 34/2001, in force as of 1.01.2001)* grants, donations, fees for training and qualifications courses;
5. *(New, SG No. 34/2001, in force as of 1.01.2001)* provision of services pursuant to Article 53, paragraph (3) hereof.

(3) *(Last Amendment, 34/2001, in force as of 1.01.2001)* Funds raised pursuant to paragraph (2), item 1 above shall be expended for:

1. financing the operations of the "Air Traffic Control" State-owned Enterprise whereas salaries shall be computed as percentage of the fees collected for the provision of aerial navigation services;
2. (*Last Amendment, SG No. 34/2001, in force as of 1.01.2001*) acquisition of long term assets;
3. large-scale construction and expenditures for procurement of technical equipment for the purpose of integrating and harmonising the national air traffic system with the European system and with the international conventions to which the Republic of Bulgaria is a signatory;
4. (*New, SG No. 85/1998*) search and rescue operations;
5. (*New, SG No. 85/1998*) repayment of credits;
6. (*New, SG No. 34/20012001, in force as of 1.01.2001*) implementation of training programs and programs to maintain and enhance professional qualifications, for rehabilitation, preventive and health recovery measures for the payroll staff of the "Air Traffic Control" State-owned Enterprise;
7. (*New, SG No. 34/2001, in force as of 1.01.2001*) implementation of programs and fulfilment of obligations under international agreements in the field of air traffic whereto the Republic of Bulgaria is a signatory;
8. (*New, SG No. 34/2001, in force as of 1.01.2001*) property management expenses pursuant to Article 53, paragraph (5) hereof;
9. (*New, SG No. 34/2001, in force as of 1.01.2001*) payment of fees pursuant to Article 120, paragraph (4) hereof;
10. (*New, SG No. 52/2004*) payment of premiums under third-party civil liability insurance policies.

(4) (*Last Amendment, No. 37/2006*) The Air Traffic Control State Enterprise may refuse air navigation service to airline operators or to owners of aircraft in case these have failed to pay the fees due pursuant to Article 120 (2) and shall duly inform the Civil Aviation Administration Directorate General and the debtors.

#### **Article 122b**

*(Repeal, SG No. 102/2009, in force as of 22.12.2009)*

### **Chapter Ten "B"**

#### **(Last Amendment, SG No. 63/2010)**

#### **FINANCING OPERATIONS RELATIVE TO SECURING SAFETY AND SECURITY OF FLIGHT AND TO MAINTENANCE AND DEVELOPMENT OF AIRPORTS FOR PUBLIC USE**

#### **Article 122c**

*(Last Amendment - SG No. 96/2017, in force as of 03.01.2018)*

(1) (*Last Amendment - SG No. 96/2017, in force as of 03.01.2018*) Financing operations relative to flight safety and security, and to maintenance and development of airports open to public use, constituting public state property, shall be provided through the budget of the Ministry of Transport and Communications, except where otherwise provided pursuant to an international treaty or where a civilian airport open to public use, constituting state property, is granted on concession, and the concession contract provides otherwise

(2) Funds for the operations referred to in paragraph (1) above shall be raised from:

1. (*Last Amendment, SG No. 52/2004*) fees as per Article 120, paragraph (1), collected by the Civil Aviation Administration Directorate General, and in cases where otherwise provided by an international treaty or concession agreement, pursuant to the provisions thereof;

2. *(Repeal, SG No. 34/2001, in force as of 1.01.2001)*
3. fees collected pursuant to Article 120, paragraph (4);
4. interests on deposits of own funds and on overdue receivables.

(3) Funds raised pursuant to paragraph (2) shall secure expenditures for:

1. financing the operations of the "Civil Aviation Administration" Directorate General;
2. *(Repeal, SG No. 81/2011);*
3. *(Last Amendment - SG No. 96/2017, in force as of 03.01.2018)* airports assigned with the fulfilment of governmental functions as per Article 48a, paragraph (3), item 1;
4. *(New - SG No. 96/2017, in force as of 03.01.2018)* other activities defined by a concession contract when a concession is awarded to the public airport for public use.

(4) *(Repeal, SG No. 111/2001)*

(5) *(Last Amendment - SG No. 96/2017, in force as of 03.01.2018)* The financing of the activities for ensuring the safety and security of flights, the construction, maintenance, development and maintenance of civil airports for public use - state-owned for which a concession has been granted, and the concessionaire is granted the right to collect in its favor a whole or a certain part of the fees under Art. 120, Par. 1, shall be carried out under the conditions and by the procedure specified in the concession contract.

#### **Article 122d**

*(Last Amendment, SG No. 52/2004)*

An airport operator performing the functions of an airport administration funded with proceeds from airport fees as per Article 120, paragraph (2), shall develop and submit for approval by the Civil Aviation Administration Directorate General a financial plan stating the expenditures necessary for repayment of outstanding credits, for coverage of investment costs for infrastructure development and for support of the airport administration.

#### **Article 122e**

*(New, SG No. 12/2000)*

All funds allocated from the budget of the Ministry of Transport and Communications, pursuant to this chapter for funding operations relative to securing and maintaining safety of flight, as well as fees collected pursuant to Article 120, paragraph (4) shall be tax-exempt.

### **Chapter Ten "C"**

*(New, SG No. 81/2011)*

#### **PROCEDURE FOR DETERMINATION OF THE LEVEL OF THE AIRPORT FEES FOR AN AIRPORT WITH AN ANNUAL TRAFFIC EXCEEDING FIVE MILLION PASSENGERS OR AN AIRPORT WITH THE HIGHEST NUMBER OF PASSENGER TRANSPORTS ON THE TERRITORY OF THE REPUBLIC OF BULGARIA**

#### **Article 122f**

*(New, SG No. 81/2011)*

(1) The airport operator of an airport with an annual traffic exceeding five million passengers or an airport with the highest number of passenger transports on the territory of the Republic of Bulgaria:

1. carries out consultations with the airport users or representatives of airport users associations on the levels of the airport fees and where appropriate on the quality the services provided at the airport;
2. carries out consultations under pt. 1 at least once a year where nothing else has been agreed upon on the latest consultation.

(2) Where a multi-annual agreement between the airport operator and the airport users exists, the consultations under par. 1, pt. 1 shall take place as foreseen in such agreement.

#### **Article 122g**

*(New, SG No. 81/2011)*

(1) In case of necessity of changes in the airport fees, the airport operator under Art. 122f (1) shall submit any proposal to modify the level of airport fees to the airport users, together with the reasons for the proposed changes, no later than four months before they enter into force.

(2) In case of exceptional circumstances which need to be justified to airport users by the airport operator under Art. 122f (1), the term under par. 1 may be shorter than four months.

(3) The airport operator under Art. 122f (1) shall hold consultations on the proposed changes with the airport users and take their views into account before a decision is taken.

(4) The airport operator under Art. 122f (1) announces publicly its decision under par. 3 through the media, by sending it to the organizations of persons concerned or by other appropriate means.

(5) The decision under par. 3 must contain a date of entry into force, which may not be sooner than two months after its announcement.

#### **Article 122h**

*(New, SG No. 81/2011)*

(1) During the consultations on proposals for changes of the levels of the airport fees, the airport operator under Art. 122f (1) submits to every airport user or to representatives of airport users associations information on the components serving as a basis for determining the level of all fees levied.

(2) The information under par. 1 shall contain:

1. a list of the various services, infrastructure and facilities of the airport provided in return for the airport fees levied;

2. the methodology used for setting airport fees;

3. the overall cost structure with regard to the services, infrastructure and facilities to which airport fees relate to;

4. the revenue of the different fees and the total cost of the services, infrastructure and facilities of the airport covered by them;

5. information on any financing from public authorities of services, infrastructure and facilities of the airport which airport fees relate to;

6. forecasts of the situation at the airport as regards the fees, traffic growth and proposed investments;

7. the actual use of airport infrastructure and facilities over a given period;

8. the predicted outcome of any major proposed investments in terms of their effects on airport capacity.

#### **Article 122i**

*(New, SG No. 81/2011)*

(1) Airport users shall submit information to the airport operator under Art. 122f (1) before every consultation, consisting of:

1. forecasts as regards traffic, number and type of aircrafts to take-off and land at the airport, and their planned usage;

2. their development projects at the airport concerned;

3. their requirements at the airport concerned with regard to infrastructure and facilities, related to their activities at the respective airport.

(2) The correspondence between the airport operators and airport users related to the system of airport fees shall be confidential and treated as industrial or trade secret.

#### **Article 122j**

*(Last Amendment - SG No. 87/2025)*

(1) *(Last Amendment - SG No. 16/2021)* The airport operator under Art. 122f (1) establishes the airport fees with a decision and announces publicly its decision on its website as well through the media, by sending it to the organizations of persons concerned or by other appropriate means.

(2) The decision under par. 1 is an administrative action subject to appeal before the Director of the Civil Aviation Administration Directorate General with regard to its expedience and legality.

(3) *(Last Amendment - SG No. 87/2025)* A complaint under para. 2 may be filed by the airport users or representatives or associations of airport users under Art. 122f, para. 1.

(4) The appeal shall be filed within 14 days after announcement of the decision under par. 1. The appeal shall specify the evidence and the specific facts to be proved by the evidence. Written evidence and a document verifying payment of the appeal fee shall be attached to the appeal.

(5) The Director of the Civil Aviation Administration Directorate General announces on the website of the Civil Aviation Administration Directorate General the appeal, the evidence and the filing date of the appeal. Copies of the appeal shall be sent to the airport operator - author of the decision and the persons under par. 3, within three day after submission of the appeal. The data which are industrial and trade secret shall be identified by the appellant and they shall not be announced.

(6) Within 7 days after notification, the persons under par. 1 may submit an opinion and evidence related to the appeal.

#### **Article 122k**

*(New, SG No. 81/2011)*

(1) The decision under Art. 122j (1) shall not be executed before the term for its appeal expires, and in case that an appeal is filed, not before the resolution of the case by the Director of the Civil Aviation Administration Directorate General under the terms of par. 2 and Art. 122p.

(2) Within four week after filing of the appeal, the Director of the Civil Aviation Administration Directorate General adopts interim decision on the level of the airport fees, safe in cases where the final decision is adopted within the same period of time.

(3) The interim decision of the Director of the Civil Aviation Administration Directorate General may:

1. affirm the decision of the airport operator under Art. 122f (1);
2. adopt a decision different from the decision of the airport operator under Art. 122f (1).

(4) The interim decision is not subject to appeal and applies until the final decision of the Director of the Civil Aviation Administration Directorate General enters into force.

#### **Article 122l**

*(New, SG No. 81/2011)*

(1) The Director of the Civil Aviation Administration Directorate General shall rule on the admissibility of the appeal within 14 days after examining:

1. whether the appeal has been filed by a person under Art. 122j (3);
2. whether the appeal has been filed within the time limits under Art. 122j (4).

(2) Where one of the conditions under par. 1 is missing, the Director of the Civil Aviation Administration Directorate General adopts a reasoned decision declaring the appeal inadmissible.

(3) The decision under par. 2 shall be announced publicly on the date of its adoption, through the media, by sending it to the organizations of persons concerned or by other appropriate means.

#### **Article 122m**

*(New, SG No. 81/2011)*

(1) Within 7 days after adoption of a decision declaring the appeal admissible, the Director of the Civil Aviation Administration Directorate General shall hear the parties to the dispute.

(2) The Director of the Civil Aviation Administration Directorate General may appoint independent external experts to assist the parties to reach an agreement.

(3) After the hearing, the Director of the Civil Aviation Administration Directorate General shall send recommendations to the parties.

(4) If the airport operator under Art. 122f (1) and the airport users reach an agreement they shall notify the Director of the Civil Aviation Administration Directorate General.

(5) Within three days after the written notification under par. 4, the Director of the Civil Aviation Administration Directorate General adopts a decision terminating the dispute procedure.

#### **Article 122n**

*(New, SG No. 81/2011)*

(1) Where the parties to the dispute are unable to reach an agreement under Art. 122m (4), the Director of the Civil Aviation Administration Directorate General shall issue written directions for supplementary opinions and identify the time – limit for their submission. The period of time may not exceed 14 days.

(2) The airport operator under Art. 122f (1) and the airport users shall send the opinions, accompanied by evidence, to the Director of the Civil Aviation Administration Directorate General.

(3) The Director of the Civil Aviation Administration Directorate General shall review the opinions, collect additional data and information, by sending directions for submission of additional data and information.

(4) The Director of the Civil Aviation Administration Directorate General may appoint experts under the terms and conditions of the Administrative Procedure Code.

(5) The Director of the Civil Aviation Administration Directorate General shall send the documents collected in the course of the procedure to each of the parties, giving them the opportunity to express written opinion.

#### **Article 122o**

*(New, SG No. 81/2011)*

(1) The Director of the Civil Aviation Administration Directorate General shall carry out at least two hearing of the parties to the dispute, notifying them in advance and identifying the issues to be discussed.

(2) Collection of evidence, conduction of hearings, and submission of information and data by the parties to the dispute shall be completed 30 days prior to the final decision of the Director of the Civil Aviation Administration Directorate General. Opinions, data and information submitted on a later date shall not be taken into account.

#### **Article 122p**

*(Last Amendment - SG No. 16/2021)*

(1) The Director of the Civil Aviation Administration Directorate General shall resolve the dispute within four months after filing of the appeal.

(2) The time period under par. 1 may be extended with two months in exceptional and duly reasoned cases.

(3) The decision of the Director of the Civil Aviation Administration Directorate General may:

1. affirm the decision of the airport operator;
2. affirm the interim decision under Art. 122k (2);
3. contain conclusions and conditions other than those in the decisions under pts. 1 and 2.

(4) The decision under par. 1 shall discuss and identify the grounds which correspond or not with the methodology adopted with the ordinance under Art. 122.

(5) The decision of the Director of the Civil Aviation Administration Directorate General is an administrative act subject to appeal under the terms and conditions of the Administrative Procedure Code.

(6) *(New - SG No. 16/2021)* The decision under para. 1, the decision of the airport operator under Art. 122j, para. 1 and the decision under art. 122k, para. 2 shall be published on the website of the General Directorate "Civil Aviation Administration".

#### **Article 122q**

*(New, SG No. 81/2011)*

(1) The airport operator under Art. 122f (1) consults with the airport users before plans for new infrastructure projects are finalised.

(2) At the end of every calendar year, the airport users notify the airport operator under par. 1 for their exploitation forecasts, development plans, requests and proposals.

#### **Article 122r**

*(New, SG No. 81/2011)*

(1) The airport operator under Art. 122f (1) and the airport users or associations of airport users may enter into negotiations or conclude an agreement with regard to the quality of service provided at the airport.

(2) The agreement under par. 1 determines the quality of the service to be provided by the airport operator under Art. 122f (1), to which airport users are entitled in return for airport fees.

(3) The airport operator under Art. 122f (1) may provide different quality and type of services, terminals or parts of terminals, with the aim of providing tailored services or a dedicated terminal or part of a terminal.

(4) The level of airport fees may be differentiated according to the quality and scope of the services provided by the airport and their costs or any other objective and transparent justification.

(5) Any airport user under Art. 122f (1) wishing to use the tailored services or dedicated terminal or part of a terminal, shall have access to these services and terminal or part of a terminal.

(6) Where the capacity of the airport under Art. 122f (1) does not allow access for all users wishing to use tailored services and/or a dedicated terminal or part of a terminal, access shall be determined under terms and conditions established by the airport operator under Art. 122f (1) and approved by the Director of the Civil Aviation Administration Directorate General.

### **Chapter Eleven**

#### **STATEMENTS OF FINDINGS, COMPLAINTS AND PRESCRIPTION**

##### **Article 123**

A statement of findings shall be made out in the following cases:

- a) in the presence of circumstances where under carriers incur liability;
- b) discrepancy between baggage or cargo and the name or weight, or amount, or number of pieces indicated in the document of carriage;
- c) loss or damage to baggage or cargo;
- d) for baggage or cargo without document of carriage or for document of carriage without baggage or cargo.

##### **Article 124**

Where the person entitled to delivery has not requested that a statement of findings be drawn up, it shall follow, unless otherwise proved, that the baggage or cargo have been placed at his disposal in good shape.

##### **Article 125**

A statement of findings shall be drawn up forthwith after the discovery of an irregularity, and, at the latest, at the time of placing the baggage or cargo at the disposal of the person entitled to delivery.

##### **Article 126**

(1) A statement of findings shall be drawn up by the carrier, or by a person authorised by the carrier, and shall be signed by him and by the passenger, the consignor or the person entitled to delivery of the baggage or cargo.

(2) In case the passenger, the consignor or the person entitled to delivery of the baggage or cargo fails to appear or refuses to sign the statement, it shall be signed by two (2) witnesses.

#### **Article 127**

(1) In the case of loss or damage the passenger, the consignor or the person entitled to delivery, or their lawful representatives or authorised agents, must complain to the carrier in writing at the latest within seven (7) days from the date of receipt in the case of baggage and fourteen (14) days from the date of receipt in the case of cargo, and in the case of a loss — from the date when receipt was supposed to occur. In the case of delay the complaint must be made at the latest within twenty-one (21) days from the date on which the baggage or the cargo have been placed at the disposal of the person entitled to delivery.

(2) In the case of overcharging for the carriage the complaint must be made at the latest within three (3) months from the date of payment.

#### **Article 128**

The person entitled to delivery shall be allowed to complain to the carrier following the expiry of the time limits set forth in Article 127, if he can prove that:

- a) it had been impossible for him to complain;
- b) he had not complained as a result of having been misled by the carrier or by a carrier's agent;
- c) the carrier had been notified of the damage.

#### **Article 129**

The complaint must be made in writing and must specify the subject of complaint and the amount of compensation claimed. Attached to the complaint must be all documents certifying the claim.

#### **Article 130**

(1) A complaint must be made to the carrier or to a person duly authorised by him.

(2) In case of mixed-carrier transportation complaints shall be made to the carrier answerable for the damage, and if this proves impossible to ascertain — to the first or last carrier, in keeping with the time limits fixed for the respective means of Transport, Information Technology and Communications.

#### **Article 131**

In the case of carriage by two or more air carriers the complaint may be made to either of them.

#### **Article 132**

(1) Where a complaint has been made without the underpinning evidence attached thereto, the carrier must notify the complainant and set a time limit, positively no less than seven (7) days, to have the irregularity rectified.

(2) In the event the irregularity has not been rectified within the time limit set therefore, it shall be treated as unmade and returned.

(3) The rectified complaint shall be reckoned valid as of the date of filing.

#### **Article 133**

The carrier shall be obliged to consider the complaint at the latest within two (2) months from the date it was lodged and notify the complainant of the outcome.

#### **Article 134**

Legal action against a carrier may be brought on condition that he has rejected a complaint either in whole or in part, or providing the complainant has not been served a notice within the time period prescribed in Article 13 hereof.

#### **Article 135**

*(Last Amendment - SG No. 16/2021)*

(1) The right of action against the carrier under international and domestic transport contracts shall expire within one year from the date of arrival of the aircraft at the destination, the day on which the aircraft was due to arrive or the date of termination of the service.

(2) Proxies who are not lawyers of persons holding rights under Regulation (EC) N<sup>o</sup> 261/2004 shall present to the carrier or to the General Directorate "Civil Aviation Administration" powers of attorney with notarized signatures.

(3) The right to claim compensation from proxies of persons holding rights deriving from Regulation (EC) N<sup>o</sup> 261/2004 shall be proved to the carrier and / or to the Directorate-General for Civil Aviation Administration with an original power of attorney certified by a notary. of the signature of the principal.

#### **Article 136**

(1) In the event a passenger is injured or dies, the person entitled to indemnity shall have the right to bring legal action to the competent court of justice at the latest within two (2) years from the date of the occurrence that caused the prejudice.

(2) The carrier shall be relieve from the obligation to pay court and clerk costs if sentenced to pay an indemnity in an amount not exceeding the amount proffered by him in writing at the latest within six (6) months from the date of the prejudice.

#### **Article 137**

(1) The prescription periods of time fixed under Article 135 hereof shall be interrupted by the initiation of complaint proceedings and shall be resumed as of date of receipt of the carrier's response, or of the date of expiry of the time limit for giving such response.

(2) All time limits shall be calculated in accordance with the provisions of the *Code of Civil Procedure*.

#### **Article 138**

Any contractual provision tending to relieve the carrier from the liability stipulated in this Act, or decrease his liability, shall be null and void.

### **Chapter Twelve**

## **ACCIDENTS INVOLVING AIRCRAFT. SEARCH AND RESCUE**

**(Title Last Amendment, SG No. 52/2004)**

#### **Article 139**

*(Last Amendment - SG No. 87/2025)*

(1) Upon receipt of notification or information about a state of danger or distress relating to an aircraft, as well as in case of an air accident, the "Air Traffic Control" State-owned Enterprise shall forthwith notify:

1. *(Last Amendment - SG No. 87/2025)* the coordination center under Art. 141, para. 4 or the emergency rescue services in the respective area;
2. the "Civil Aviation Administration" Directorate General;
3. *(Last Amendment - SG No. 87/2025)* the Ministry of Transport and Communications;

4. *(Last Amendment - SG No. 62/2019, in force as of 06.08.2019)* the National Air, Water and Rail Accident Investigation Board as per Article 16e.

(2) *(Last Amendment, SG No. 52/2004)* A distressed aircraft's operating crew shall notify the "Air Traffic Control" State-owned Enterprise, as well as the bodies specified under paragraph (1), if in a position to do so.

(3) *(New, SG No. 52/2004)* In the event of a serious incident or an incident, airline operators, airport operators and ground service operators registered in the Republic of Bulgaria shall notify the authorities as per Paragraph (1).

#### **Article 140**

*(Last Amendment, SG No. 85/1998)*

In the event of an accident within the controlled airspace of the Republic of Bulgaria involving a foreign aircraft, or an aircraft on board which there are foreign citizens, the Director of the Civil Aviation Administration Directorate General shall forthwith notify the Ministry of Foreign Affairs and they shall notify the distressed aircraft's state of registry or the embassies of the states, respectively, whose nationals have been affected by the occurrence.

#### **Article 141**

*(Last Amendment - SG No. 87/2025)*

(1) The local governmental and municipal authorities in the area of an accident, and in the case of an accident within an airport's boundaries — the Head of such airport, shall be obliged to forthwith take all possible measures to extend aid and assistance to the crew and the passengers, as well as to provide security and restrict the access to the area of the accident.

(2) *(Last Amendment - SG No. 87/2025)* The competent authorities of Ministry of Interior shall participate in emergency rescue and evacuation operations in connection with an aircraft accident following a plan drawn up by:

1. *(Last Amendment - SG No. 87/2025)* the airport administration — with regard to accidents on the territory of the airport;

2. *(Last Amendment - SG No. 87/2025)* the airport administration in concert with the municipalities — with regard to accidents within the five kilometre (3 mile) area around the public airports control reference point;

3. *(Last Amendment - SG No. 87/2025)* the "Civil Aviation Administration" Directorate General in concert with the competent authorities of Ministry of Interior and the municipalities — with regard to accidents outside the territory under item 1 and the area under item 2.

(3) *(Last Amendment - SG No. 87/2025)* Search and rescue, as well as emergency and rescue activities, are managed by:

1. the airport emergency situation center of the airport, when they are on the territory of the airport;

2. the airport emergency situation center of a public airport, when they are outside the territory of the airport, but within 5 km of the control point of the same airport, in coordination with the coordination center for search and rescue in case of aviation accidents at the General Directorate of Civil Aviation Administration.

(4) *(Last Amendment - SG No. 87/2025)* Search and rescue, as well as emergency and rescue activities outside the territory under para. 2, item 1 and the area under para. 2, item 2, shall be managed by the coordination center for search and rescue in case of aviation accidents at the General Directorate "Civil Aviation Administration" until the arrival of a head of the operation on site, designated in accordance with the National Plan for Search and Rescue in Case of Aviation Accidents.

(5) *(Former Paragraph (3), SG No. 52/2004)* Personnel involved in emergency rescue and evacuation activities at airports shall be subjected to proper training and periodic drills.

(6) *(Last Amendment - SG No. 87/2025)* The procedure, requirements, responsibilities and duties relevant to the provision of emergency rescue, fire control and medical assistance in respect of flights within the airport perimeter shall be prescribed by an ordinance of the Minister of Transport and Communications;

(7) *(Last Amendment - SG No. 87/2025)* The terms and procedures as well as the requirements for the system of search and rescue in case of aviation accidents shall be prescribed in an ordinance issued jointly by the Minister of Transport and Communications, the Minister of Defence, the Minister of Interior and the Chairperson of the State Agency for National Security.

(8) *(Repeal - SG No. 87/2025)*

#### **Article 141a.**

*(Last Amendment - SG No. 16/2021)*

(1) The Council of Ministers adopts a National Search and Rescue Plan upon aircraft accidents outside the region under art. 141, para. 3 acting on a proposal made by the Minister of Transport and Communications, the Minister of Defence and the Minister of Interior.

(2) *(Last Amendment - SG No. 16/2021)* The Directorate General " Civil Aviation Administration" includes the expenses related to the search and rescue activities in the performance plan in accordance with the requirements of Implementing Regulation (EU) 2019/317.

(3) The expenses made with reference to the performance of the activities in accordance with the National Search and Rescue Plan in case of aircraft accidents outside the region under art. 141, para. 3 are also included in the national cost base of the fees under art. 120, para. 2, pt. 2.

(4) The resources for the performance of the activities related to search and rescue which are included in the national cost base of the fees under art. 120, para. 2, pt. 2 are endorsed by the Director General of the Directorate General " Civil Aviation Administration" and are planned as income and expenses in the budget of the Ministry of Transport and Communications.

(5) The non- spent resources under para. 2, included in the fees under art. 120, para. 2, pt. 2, which are provided at the end of the calendar year by the air navigation service providers over the expenses which are made and proved, for performance of the activities related to search and rescue, are planned as expenses in the budget of the Ministry of Transport and Communications for performance of the activities included in the National Search and Rescue Plan in case of aircraft accidents outside the region under art. 141, para. 3 within the expenditure ceiling for the respective year.

(6) In case the actual expenses exceed the resources under para. 2, included in the fees under art. 120, para. 2, pt. 2, provided at the end of the calendar year by the air navigation services providers for performance of the activities related to search and rescue, the exceeding sum is at the expense of the budgets of the participants in the National Search and Rescue Plan in case of aircraft accidents outside the region under art. 141, para. 3.

#### **Article 142**

*(Last Amendment - SG No. 62/2019, in force as of 06.08.2019)*

(1) An investigation is a process conducted for the purpose of preventing accidents involving aircraft, which comprises information gathering and analysis, preparation of reports stating

findings and conclusions, which are to include establishing the causes and making recommendations for providing for the safety of aerial navigation.

(2) *(Last Amendment - SG No. 62/2019, in force as of 06.08.2019)* Aviation accidents or serious incidents having occurred in the territory of the Republic of Bulgaria shall be investigated by the inspectors in the National Air, Water and Rail Accident Investigation Board.

(3) *(Repeal - SG No. 62/2019, in force as of 06.08.2019)*

(4) The terms, conditions and procedure of organizing and conducting investigations of aviation accidents or serious incidents shall be prescribed by an ordinance of the Minister of Transport and Communications.

(5) *(Last Amendment - SG No. 62/2019, in force as of 06.08.2019)* In the event of an aviation accident having occurred in airspace outside the jurisdiction of the Republic of Bulgaria, involving an aircraft entered in the civil aviation register of the Republic of Bulgaria, the governing body of the National Air, Water and Rail Accident Investigation Board shall appoint one or more authorized representatives to participate in the investigation to be held in the country where the accident has occurred.

(6) *(Last Amendment - SG No. 60/2012)* Safety investigations shall be independent from any judicial or other administrative investigation. Written materials from the investigations, as well as the final reports cannot be used as evidence in court. The establishment of guilt or responsibility shall not be the subject of such investigations.

### **Chapter Thirteen**

## **ADMINISTRATIVE AND PENAL PROVISIONS**

### **Article 143**

*(Last Amendment - SG No. 87/2025)*

(1) Penalised by a fine in the amount from BGN 3,000 up to BGN 10,000 shall be any person who:

1. has allowed or authorised the performance of a flight, or has himself performed a flight with a technically defective aircraft;
2. has allowed the performance of a flight, or has himself performed a flight with an aircraft that is not registered or has no certificate of airworthiness;
3. *(Last Amendment - SG No. 87/2025)* manages or participates in the management, servicing, provision of the aircraft or servicing passengers without holding a certificate of competency or attestation or with an invalid certificate of competency or with an invalid attestation, as well as the person who orders or allows this;
- 3a. *(New - SG No. 87/2025)* manages or participates in the management, maintenance, provision of the aircraft without possessing valid qualifications, certificates and rights entered in the license, as well as the person who orders or allows this;
4. *(Last Amendment - SG No. 87/2025)* while driving, operating the aircraft, servicing passengers, air traffic control and air navigation services is under the influence of psychoactive substances;
5. *(Last Amendment - SG No. 87/2025)* refuses to take a test with technical means for the use of psychoactive substances during an inspection of the apron by an inspector from the General Directorate of Civil Aviation Administration;
6. has performed, or has allowed, or has authorised the performance of a flight with unacceptable fuel or lubricants;
7. *(Last Amendment - SG No. 87/2025)* has ordered, or caused a landing to be made, or has himself made a landing at an inappropriate, uncertified or unregistered airport without having been force to do so;

8. has violated, or has caused or ordered to be violated the medical norms of respite of the licensed aviation personnel;
9. has performed, or has ordered, or caused, or has allowed, or authorised the performance of a flight with an aircraft in conditions not corresponding to its operational characteristics;
10. has disseminated untrue information relative to securing the safety of flight.
11. (*Last Amendment - SG No. 87/2025*) fails to obey written instructions or orders of the competent bodies as per this Act, the subordinate legislation or applicable EU regulations;
12. (*New, SG No. 52/2004*) denies access, under equal conditions, to an aircraft that has been issued a flight permit;
13. (*New, SG No. 52/2004*) refuses to receive and denies service to an aircraft in distress or a state-owned aircraft;
14. (*New, SG No. 52/2004*) performs any other activity in violation of Article 6.
15. (*New - SG No. 63/2010*) has allowed the use of navigation device for aerial navigation, landing or survey without certificate of exploitation serviceableness;
16. (*New - SG No. 63/2010*) participates in the air traffic flow management and the technical provision and maintenance of aerial navigation service systems without having professional competence certificate or having invalid professional competence certificate as well as such person who orders or allows such act.
17. (*New - SG No. 60/2012*) creates obstacles for the investigating inspectors to perform their duties by not providing free access to place of accident or incident; aircraft, its content or debris; personnel; equipment; docks; and any type of documents, records, explanations or premises related to the occurrence under investigation;
18. (*New - SG No. 60/2012*) refuses to deliver, hides, damages, substitutes or destroys explanations, documents, records, or any other information or materials related to the occurrence under investigation;
19. (*New - SG No. 60/2012*) replaces, hides, substitutes or destroys aircraft debris and any type of evidence for aviation accident, as well as who takes any type of actions related to aircraft debris, not approved in advance by the investigating authority.
20. (*Last Amendment - SG No. 16/2021*) allow or perform a flight with an unmanned manned aircraft in the airspace of the country without the appropriate permission, when required, and / or in violation of the applicable regulatory requirements, the procedures in its documentation.
21. (*New - SG No. 1/2019*) refuse to transmit or hide, damage, replace or destroy written explanations, documents, records and any information or material requested by the Civil Aviation Administration's Chiefs of Inspectors.

(2) Notwithstanding the fine imposed, the violator shall be deprived also of the privilege to practice the respective profession or air-transport activity for a period of from one (1) to three (3) years in the cases under items 1, 4, 5 and 9, and for a period of one (1) year in all other cases.

(3) (*Last Amendment, SG No. 63/2010*) A pecuniary sanction in the amount of BGN 2,000 to BGN 10,000 shall be imposed upon:

1. (*Last Amendment - SG No. 16/2021*) an airport operator, a ground service operator, a full controller (regulated agent), known consignor, an aerial navigation equipment supplier or a civil aviation operator that fails to submit to the Civil Aviation Administration Directorate General, within a time limit set by the relevant security inspectors, its security, quality control and training programmes, or its unlawful interference response action plans.
  - 1a. (*Last Amendment - SG No. 1/2019*) an airport operator, a full controller (regulated agent) or a ground service operator allowing to work an employee from the security personnel not having a certificate under Art. 16d, para. 2, item 9;

2. an airport operator that has installed and operates physical protection, video surveillance or access control systems or technical equipment for detection of forbidden objects or substances without prior approval by the Civil Aviation Administration Directorate General;
3. (*Last Amendment - SG No. 16/2021*) an airport operator, a ground service operator, a full controller (regulated agent), known consignor, an aerial navigation equipment supplier or a civil aviation operator that fails to implement the measures provided for in its security programme;
- 3a. (*New - SG No. 87/2025*) a training organization or training center that fails to complete training in the volume provided for in the relevant courses in the program approved by the General Directorate of Civil Aviation Administration;
4. (*Last Amendment - SG No. 16/2021*) an airport operator, a ground service operator, a full controller (regulated agent), known consignor, an air navigation service provider and an aviation operator who fails to submit a plan of action within the designated Civil Aviation Directorate-General's Directorate to remedy any non-conformities found after inspection checks;
- 4a. (*New - SG No. 87/2025*) an organization that fails to submit, within the deadline set by the General Directorate of Civil Aviation Administration, a corrective action plan to eliminate identified non-conformities after audits, checks or inspections;
5. (*Last Amendment - SG No. 87/2025*) airport operator and ground handling operator that allows unauthorized face or access of a motor vehicle into the airport security zones;
6. (*Last amendment - SG No. 63/2010*) an airport operator allowing into a limited access security zone a person and items and personal effects carried thereby without performing security check;
7. (*Last Amendment - SG No. 16/2021*) an airport operator, ground service operator, full controller (regulated agent), known consignor, aerial navigation service provider and aviation operator having not remedied within the specified term the discrepancies in the action plan submitted for approval to the Civil Aviation Administration Directorate-General for the purpose of correcting discrepancies resulting from audits, inspections or tests performed;
- 7a. (*New - SG No. 87/2025*) a training organization that does not eliminate the non-conformities within the period determined, approved or extended by the General Directorate of Civil Aviation Administration for the elimination of non-conformities after audits, inspections and checks;
8. (*Last Amendment - SG No. 1/2019*) an aviation security training provider operating without an aeronautical training center certificate and without approved training programs by the Civil Aviation Directorate General or using aviation security instructors who do not hold a certificate issued by the Chief Directorate of the Civil Aviation Administration for the relevant training program;
- 8a. (*New - SG No. 1/2019*) a training provider who issued a document certifying the passing of the training without having complied with the procedure for issuing it;"
- 8b. (*New - SG No. 1/2019*) a training provider who allows a person to undergo security training related to access to information that is unavailable to the general public before completing the full check or pre-employment check;
- 8c. (*New - SG No. 87/2025*) a training organisation under Regulation (EU) No 1178/2011 or an organisation under Part 147 of Regulation (EU) No 1321/2014 that operates without a certificate or an accepted declaration and/or without approved training programmes by the Directorate General "Civil Aviation Administration" or uses instructors and/or lecturers who do not hold a certificate issued in accordance with Regulation (EU) No 1178/2011, Regulation (EU) No 1321/2014 or meeting the requirements of these Regulations to operate for the relevant training programme;
9. (*Last Amendment - SG No. 87/2025*) airport operator, aviation operator, training organization, ground handling operator or provider of aerial navigation services preventing check-ups by the authorities competent under this Act or not abiding by an order thereof

related to the ensuring of flight security, as well as such person who orders or allows such act;

10. *(New - SG No. 63/2010)* aviation operator allowing unauthorized going out of the runway for departure and landing by the provider of aerial navigation services, as well as such person who orders or allows such act;

11. *(New - SG No. 63/2010)* aviation operator allowing unauthorized entering into prohibited, temporarily limited or zones dangerous for flights within the controlled regions or airport zones by the provider of aerial navigation services, as well as such person who orders or allows such act;

12. *(Last Amendment - SG No. 28/17.04.2015)* provider of aerial navigation services not complying with set deadlines or allowing diversion in the process of corrective actions prescribed by a regulative audit and adopted by the national supervisory body as well as such person who orders or allows such act.

13. *(New - SG No. 1/2019)* an airport operator who does not practice drills on the practical implementation of its action plan for acts of unlawful interference.

14. *(New - SG No. 16/2021)* an airport operator, a groundhandling operator, a full-fledged controller (regulated agent), a known consignor, an air navigation service provider and an aviation operator who hires or assigns at national or local level a security officer in breach of the requirements of the Art. 16r;

15. *(New - SG No. 16/2021)* an airport operator, a groundhandling operator, a full-fledged controller (regulated agent), a known consignor, an air navigation service provider and an aviation operator that allows individuals to perform or be responsible for carrying out checks, access control or other security controls, before they have successfully passed a thorough inspection by the State Agency for National Security;

16. *(New - SG No. 16/2021)* an airport operator, a groundhandling operator, a full-fledged controller (regulated agent), a known consignor, an air navigation service provider and an aviation operator who allows an unaccompanied person to pass a full inspection, unaccompanied, to air cargo and mail, to mail and air carrier materials, to goods destined for flights and goods destined for airports to which the required security controls have been applied;

17. *(New - SG No. 16/2021)* an airport operator, a groundhandling operator, a full-fledged controller (regulated agent), a known consignor, an air navigation service provider and an aviation operator who allows a person not approved by the General Directorate "Civil Aviation Administration" or not holding a certificate of competence to conducted aviation security training.

18. *(New - SG No. 87/2025)* an airport operator and a ground handling operator who allows a person to board an aircraft who does not hold a valid boarding pass or equivalent document.

(4) *(Last Amendment, SG No. 63/2010)* A fine in the amount of BGN 500 to BGN 2,000 shall be imposed upon:

1. *(Last Amendment, SG No. 63/2010)* an employee of airport operator, ground service operator, aerial navigation service provider or civil aviation operator who fails to perform, or allows the performance of service duties by personnel who has not completed the required training level acquired at a security training center accredited by the Civil Aviation Administration Directorate-General;

2. *(Last Amendment, SG No. 63/2010)* which bears a prominent place in security areas valid pass or identification card or fails to comply with requirements for access matched;

3. an employee who enters or attempts access into a security zone without proper authorization;

4. *(Last Amendment - SG No. 1/2019)* an employee who fails to notify the the airport operator or the Civil Aviation Administration Directorate General of a loss, theft or

destruction of a ground pass/identity card or fails to turn in such pass/identity card upon expiry of its term of validity or in case of dropping out of service;

5. an employee who violates the established in-flight procedure and security rules of a civil aviation operator during flight.

6. *(Last Amendment - SG No. 87/2025)* an airport operator security officer and a security officer of a ground handling operator who authorizes or authorizes unauthorized access of a person or vehicle to an airport security area;

7. *(New - SG No. 1/2019)* an employee of an airport operator who orders or admits to a security area a person and the items carried by him without performing a security check.

8. *(New - SG No. 87/2025)* an employee of an airport operator and an employee of a ground handling operator who allows a person to board an aircraft who does not possess a valid boarding pass or equivalent document.

(5) *(New, SG No. 66/2008, in force as of 25.07.2008)* A pecuniary sanction in the amount of BGN 2,000 to BGN 10,000 shall be imposed upon:

1. an air carrier or an agent thereof that denies air carriage to a person of disability or reduced mobility on account of his/her disability or reduced mobility, unless there are valid grounds for denial of carriage to such a person in accordance with Art. 4 of Regulation N<sup>o</sup> 1107/2006 (EC);

2. an air carrier or an agent thereof that fails to provide free of charge and in accessible form the information as per Art. 4 (3) of Regulation N<sup>o</sup> 1107/2006 (EC);

3. an air carrier or an agent thereof that fails to perform its duties as per Art. 4 (4) of Regulation N<sup>o</sup> 1107/2006 (EC);

4. an air carrier or an agent thereof that fails to designate places as per Art. 5 of Regulation N<sup>o</sup> 1107/2006 (EC), or fails to provide information about such places in accessible form to persons of disability or reduced mobility;

5. an air carrier or an agent thereof that fails to provide to an airport operator information regarding the need to provide assistance to a person of disability or reduced mobility in accordance with Art. 6 of Regulation N<sup>o</sup> 1107/2006 (EC);

6. an airport operator that fails to provide assistance to a person of disability or reduced mobility in accordance with Art. 7 of Regulation N<sup>o</sup> 1107/2006 (EC);

7. an air carrier or airport operator that charges an extra fee for assistance provided to a person of disability or reduced mobility;

8. an airport operator that fails to perform its duties as per Art. 9 of Regulation N<sup>o</sup> 1107/2006 (EC) regarding the established quality standards of the assistance specified in Appendix I of Regulation N<sup>o</sup> 1107/2006 (EC);

9. an airport operator or air carrier that fails to perform its duties as per Art. 11 of Regulation N<sup>o</sup> 1107/2006 (EC).

(6) *(New - SG No. 89/17.11.2015)* A pecuniary penalty of BGN 2,000 to 5,000 shall be imposed to:

1. an air carrier which fails to fulfill its obligations in case of denied board access pursuant to Art. 4 (1) of Regulation (EC) N<sup>o</sup> 261/2004;

2. an air carrier which fails to fulfill its obligations to compensate the passengers in case of denied board access against their will under Art. 4 (3) of Regulation (EC) N<sup>o</sup> 261/2004;

3. an air carrier which fails to fulfill its obligations in case of flight cancellation pursuant to Art. 5 (1), letters "a", "b" and "c" of Regulation (EC) N<sup>o</sup> 261/2004;

4. an air carrier which fails to fulfill its obligations to provide adequate assistance to the passengers in the event of a flight delay pursuant to Art. 6 (1), letters "i", "ii" and "iii" of Regulation (EC) N<sup>o</sup> 261/2004;

5. an air carrier which refuses to provide the right to compensation pursuant to Art. 7 (1) of Regulation (EC) N<sup>o</sup> 261/2004;

6. an air carrier which fails to fulfill its obligations to pay within seven days the compensation pursuant to Art. 8 of Regulation (EC) N<sup>o</sup> 261/2004;

7. an air carrier which refuses the right to care in accordance with Art. 9 (1), (2) and (3) of Regulation (EC) No 261/2004;
8. an air carrier which fails to fulfill its obligations to recover within 7 days the portion of the ticket price according to Art. 10 (2) letters "a", "b" and "c" of Regulation (EC) No 261/2004;
9. an air carrier which fails to fulfill its obligations to inform the passengers of their rights under Art. 14 (1), (2) and (3) of Regulation (EC) No 261/2004;
10. *(Last Amendment - SG No. 16/2021)* an air carrier which fails to reply to the complaints of passengers within up to two months as of the date of submission;
11. an air carrier which fails to reply within the specified period to the inquiries referred to it by the national authority under Art. 16 (1) of Regulation (EC) No 261/2004.

### **Article 143a.**

*(Last Amendment - SG No. 87/2025)*

(1) *(Former text of Art. 143a - SG No. 16/2021)* The persons under art. 1, paragraph 3 of Commission Regulation (EU) No 255/ 2010 of 25 March 2010 laying down common rules on air traffic flow management ( OJ, L 80/ 10 of 26 March 2010) who fail to implement or delay the implementation of their obligations arising from the provisions of this regulation are imposed a fine amounting from BGN 3 000 to BGN 10 000 or are imposed a proprietary sanction amounting from BGN 2 000 to BGN 10 000.

(2) *(New - SG No. 16/2021)* Person under Art. 2, paragraph 2 of Regulation (EU) 2018/1139, which fails to fulfill or fails to meet its obligations under this Regulation and under the delegated regulations and implementing regulations adopted on the basis thereof shall be punished by a fine of BGN 3,000 to 10,000 or a property sanction of BGN 3,000 to 30,000 is imposed on him.

(3) *(New - SG No. 87/2025)* A person under Art. 4 and a person under Art. 16 of Regulation (EU) 376/2014 who fail to fulfill or fail to fulfill their obligations under this Regulation within the time limit shall be punished with a fine of BGN 3,000 to 10,000 or with a property penalty of BGN 3,000 to 30,000.

(4) *(New - SG No. 87/2025)* An airspace user and/or air navigation service provider who fails to comply or fails to comply within the time limit with their obligations arising from the requirements of Commission Implementing Regulation (EU) 2021/116 of 1 February 2021 on the establishment of the first joint project in support of the implementation of the European Air Traffic Management Master Plan provided for in Regulation (EC) No 550/2004 of the European Parliament and of the Council, amending Commission Implementing Regulation (EU) No 409/2013 and repealing Commission Implementing Regulation (EU) No 716/2014 (OJ, L 36/10 of 2 February 2021) shall be punished with a fine of 3,000 to 10,000 BGN or with a pecuniary penalty of 3,000 to 10,000 BGN.

(5) *(New - SG No. 87/2025)* An airport operator who fails to fulfill its obligation under Article 12, item 3 of Regulation (EU) 2023/2405 shall be punished with a financial penalty of BGN 3,000 to 30,000.

(6) *(New - SG No. 87/2025)* In case of failure to comply with the obligations provided for in Regulation (EU) 2023/2405, a financial penalty shall be imposed in an amount determined by the Director General of the Directorate General "Civil Aviation Administration" in accordance with Article 12 of the same Regulation, as follows:

1. an air carrier that fails to comply with its obligation under Article 5 of Regulation (EU) 2023/2405 shall be subject to a financial penalty in an amount twice the amount obtained by multiplying the average annual price of aviation fuel per tonne by the total quantity of unfuelled fuel for one year; the air carrier may be exempted from the penalty if it proves that the failure to comply with its obligation under Article 5 of Regulation (EU) 2023/2405 was caused by exceptional and unforeseeable circumstances beyond its control with consequences that could not have been avoided even if all reasonable measures had been taken;

2. a supplier of aviation fuel who fails to comply with its obligation under Article 4 of Regulation (EU) 2023/2405 with regard to the minimum shares of sustainable aviation fuels shall be subject to a financial penalty in an amount twice the amount obtained by multiplying the difference between the average annual price of conventional aviation fuel and sustainable aviation fuels per tonne by the quantity of aviation fuel that does not comply with the minimum shares specified in Article 4 and Annex I of Regulation (EU) 2023/2405;
3. a supplier of aviation fuel who fails to fulfill his obligation under Art. 4 of Regulation (EU) 2023/2405 with regard to the minimum shares of synthetic aviation fuels and for the period from 1 January 2030 to 31 December 2034 - the average shares of synthetic aviation fuels, shall be subject to a financial penalty in an amount twice the amount obtained by multiplying the difference between the average annual price of synthetic aviation fuel and conventional aviation fuel per tonne by the quantity of aviation fuel that does not comply with the minimum shares referred to in Article 4 and Annex I of Regulation (EU) 2023/2405;
4. a supplier of aviation fuel who is found to have provided misleading or inaccurate information regarding the characteristics or origin of sustainable aviation fuels supplied by him pursuant to Article 9(2) and Article 10 of Regulation (EU) 2023/2405 shall be subject to a financial penalty of twice the amount obtained by multiplying the difference between the average annual price of conventional aviation fuel and sustainable aviation fuel per tonne by the quantity of aviation fuel for which misleading or inaccurate information was provided.

#### **Article 143b.**

*(New - SG No. 89/17.11.2015)*

A pecuniary penalty ranging between BGN 100 to BGN 1000 shall be imposed to an air carrier which fails to fulfill its obligations to inform of the end price with the tariffs and fees included therein pursuant to Art. 23 of Regulation (EC) № 1008/2008 of the European Parliament and of the Council of 24 September 2008 on common rules for the operation of air services in the Community (OB, L 293/3 of 31 October 2008).

#### **Article 144**

*(Last Amendment - SG No. 87/2025)*

Penalised by a fine in the amount from BGN 1,000 up to BGN 10,000 shall be any person who:

1. *(Last Amendment - SG No. 16/2021, in force as of 25.02.2022)* has allowed or authorised the use of an airport before it is registered;
2. has failed to comply with the time limit for registration and deletion of aircraft in the register kept by the "Civil Aviation Administration" Directorate General;
3. has caused, or ordered, or allowed, or authorised any modification of an aircraft or any employment of equipment without the prior authorisation of the "Civil Aviation Administration" Directorate General;
4. has ordered the performance, or has performed himself an undermanned flight;
5. has violated the flight regulations;
6. has not been complying with the manufacturer's requirements and the prescriptions of the competent authorities relating to the maintenance of the aircraft's airworthiness;
7. *(Last Amendment, SG No. 52/2004)* has been violating the regulations for ground movement within airport limits;
8. with his manners or acts has infringed on the safety of flight or has endangered people's lives;
9. has withheld or misrepresented information about an occurrence or a circumstance relating to an aircraft, thus conducing to deterioration of the safety of flight;

10. has failed to obey a bidding of the "Civil Aviation Administration" Directorate General as per Article 47, paragraph (3) hereof to remove an obstruction having a bearing on the safety of flight;
11. has performed a flight without carrying on board the aircraft all the documents set forth in Article 30 hereof as well as in other enactments;
12. (*Last Amendment, SG No. 81/2011*) has ordered the performance of air carriage, or has performed air carriage or another commercial operation with aircraft without the right to do so;
13. operates a facility, a building, machinery or equipment that do not conform to the safety requirements.
14. (*Last Amendment - SG No. 1/2019*) has ordered or allowed change in the aerial navigation service systems without authorization by the Civil Aviation Administration Directorate-General.
15. (*Last Amendment - SG No. 16/2021, in force as of 25.02.2022*) directs or allows for the direction to an aircraft of a laser beam or other direct light with high intensity, in a manner that creates danger for the safety of the air traffic, damage to the aircraft or injure to its personnel or passengers.
16. (*New - SG No. 60/2012*) withholds information about aviation accident or serious incident;
17. (*New - SG No. 60/2012*) allows distribution of information protected under Regulation (EU) No 996/2010 and the ordinance under Art. 142 (4).
18. (*New - SG No. 87/2025*) commits a violation of Art. 63;
19. (*New - SG No. 87/2025*) transmits false or misleading messages and signals for help, as a result of which resources of the participants in the search and rescue system in the event of aviation accidents are activated.

#### **Article 145**

*(Last Amendment, SG No. 85/1998)*

Any person failing to comply with the existing rules and manners on board an aircraft or at an airport shall be penalised by a fine in the amount from BGN 50 to BGN 200.

#### **Article 146**

*(Last Amendment, SG No. 105/2006)*

In case of a repeat offence under Articles 143 and 144 the fine shall be BGN 4,000 to 13,000.

#### **Article 147**

*(Last Amendment - SG No. 16/2026)*

(1) (*Last Amendment - SG No. 16/2026*) Unless expressly provided otherwise, for any other violation of this Act, or of the Rules and Regulations for the implementation thereof, as well as Regulation (EU) 2018/1139 and its delegated and implementing regulations the culpable persons shall be penalised by a fine in the amount from BGN 1,000 to BGN 10,000.

(2) (*Last Amendment - SG No. 87/2025*) A manager, an executive or any other official who has either ordered or has knowingly allowed any violation of this Act and the regulatory acts issued on its basis, as well as Regulation (EU) 2018/1139 and its delegated and implementing regulations to be committed by a subordinate of his, shall be punishable by the same penalty envisaged for the violation committed.

#### **Article 147a**

*(Last Amendment, SG No. 66/2008, in force as of 26.07.2008)*

In cases where a violation as per Articles 143 (1), 144, 145, 146 or 147 has been perpetrated by a legal entity, the party at fault shall be subject to a material sanction in the amount of the fine applying to the same violation.

#### **Article 147b**

*(Last Amendment - SG No. 89/17.11.2015)*

(1) *(Last Amendment - SG No. 89/17.11.2015)* In case of a failure to execute an order as per Article 16b, Paragraph 3, Item 3 and Paragraph 6, the culpable persons shall be sanctioned to pay a fine in the amount of BGN 250 to 1,000, while sole traders and legal persons shall be sanctioned to make a penalty payment in the amount of BGN 500 to 2,000.

(2) In case of a repeat offence under Paragraph 1, the culpable persons shall be sanctioned to pay a fine, while sole traders and legal persons shall be sanctioned to make a penalty payment in a double amount.

#### **Article 148**

*(Last Amendment - SG No. 60/2012)*

(1) *(Last Amendment - SG No. 60/2012)* Violations, with exception of those under Art. 143, pts. 17 – 19 and Art. 144, pts. 16 and 17, shall be ascertained by written statements drawn up by persons designated by the Director of the Civil Aviation Administration Directorate General, and in the cases set forth in Article 145 hereof — by the aircraft commanders provided that the violation has been committed on board their aircraft.

(2) *(Amended, SG No. 85/1998, SG No. 66/2008, effective 26.07.2008)* On the grounds of the written statements thus drawn up, the Director of the Civil Aviation Administration Directorate General, or a person duly authorised by him, shall issue penal decrees.

(3) *(Repeal, SG No. 85/1998).*

(4) *(New - SG No. 60/2012)* The violations under Art. 143, pts. 17 – 19 and Art. 144, pts. 16 and 17, shall be ascertained by written statements drawn up by persons designated by the Minister of Transport and Communications.

(5) *(New - SG No. 60/2012)* Based on the written statements under Par. (4), the Minister of Transport and Communications or an official authorized by the Minister issue administrative penalty decrees.

#### **Article 149**

The drawing of written statements for ascertainment of violations and the issuance of penal decrees relative to any administrative violations under this Act, as well as their appeal and execution shall be subject to the provisions of the *Administrative Infractions and Penalties Act*.

### **SUPPLEMENTARY PROVISIONS**

*(Title Last Amendment, SG No. 85/1998)*

**§ 1** *(Repeal - SG No. 87/2025)*

**§ 2** *(Former Article 151, SG No. 85/1998)* Employees of air-transport enterprises shall enjoy the privilege to travel by Bulgarian aircraft, outside of their official duties, gratuitously or at reduced airfares under the terms set forth in the Book of Rules, or in the By-laws, respectively, of the company or organisation engaged in air-carriage operations as construed hereunder.

**§ 3.** *(Last Amendment - SG No. 16/2026)* For the purposes of this Act:

1. *(Repeal, SG No. 52/2004);*

2. *(Last Amendment - SG No. 60/2012)* „Aviation accident" means an occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:

a) a person is fatally or seriously injured as a result of being in the aircraft; direct contact with any part of the aircraft, including parts which have become detached from the aircraft; direct exposure to jet blast, except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew;

b) the aircraft sustains damage or structural failure which adversely affects the structural strength, performance or flight characteristics of the aircraft, and would normally require major repair or replacement of the affected component, except for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes) or minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike, (including holes in the radome); or;

c) the aircraft is missing or is completely inaccessible.

3. *"Safety of flight"* shall be construed as the capacity of the aeronautical system to ensure problem-free management, conducting, guidance and accomplishment of flights, while preserving the lives and well-being of those carried on the flights, as well as the integrity of the cargo and of the aircraft;

4. *"Air/aerial navigation"* shall be the movement of aircraft, as well as any and all operations and actions of persons related to its management and safety both in the air and on the ground;

5. *"Aircraft"* shall signify any vehicle designed to be supported in the airspace by the reaction of the air against its surfaces other than the reaction of the air against the surface of the Earth;

6. *(Repeal, SG No. 81/2011);*

7. *"Air traffic"* shall be construed as all aircraft in flight or taxiing along the manoeuvring surface of an airport (into position for takeoff or parking);

8. *"Governmental flight"* shall be construed as a non-commercial flight conducted with a governmental aircraft;

9. *"Governmental aircraft"* shall mean any aircraft regardless of its nationality engaged in military, police or customs flights;

10. (*Last Amendment, SG No. 81/2011*) "*Aviation inspector*" shall be a person vested by the Director of the Civil Aviation Administration Directorate General with the authority to oversee compliance with this Act and any secondary legislation enacted on the basis thereof and to issue mandatory instructions or acts of ascertainment of violations;

11. "*Airport control reference point*" shall signify a conventional reference point designating an airport's geographic location;

12. "*Aircraft airworthiness*" shall be construed as the complex of an aircraft's characteristics as specified by the designers, plus the principles embodied in its construction and its flying capabilities, allowing safe flying under the anticipated strains of flight and the established methods of aircraft operation;

13. (*Amended, SG No. 52/2004*) "*Airport*" shall be a designated area of the land or water surface (inclusive of all premises, facilities and equipment) intended, either wholly or in part, for the landing, takeoff and taxiing of aircraft on such surface and for handling the relevant passengers, cargo and mail;

14. (*Repeal - SG No. 16/2021, in force as of 25.02.2022*)

14a. (*New - SG No. 16/2021, in force as of 25.02.2022*) "General aviation flights" means flights for specialized operations (aerial work - AW) or flights other than commercial air transport (CAT).

15. "*Airport administration*" shall be construed as an authority tasked with the management of an airport open to public use;

16. (*Last Amendment, SG No. 66/2008, in force as of 25.07.2008*) "*Airport operator*" shall be a sole trader whose assets are state-owned, or a trader that has been granted concession under the terms and procedures of the *Concessions Act*, as well as a trader, using civilian airports as per Article 43, paragraph (2), items 2 and 3 hereof, as well as a merchant using a civilian airport for public use that does not constitute public state property;

17. "*International flight*" shall be any flight where the points of departure, intermediate stopover, if any, and destination are located within two or more states;

18. "*Ground services*" shall be construed as the variety of activities and operations conducted within the protected boundaries of an airport and relating to the pre-flight and post-flight services rendered to aircraft;

19. "*Controlled airspace*" shall be construed as airspace within whose designated boundaries specific air-traffic-control and aeronautical rules shall be enforceable with respect to individual flights; The Republic of Bulgaria's controlled airspace shall include also the airspace delegated thereto under international agreements;

20. "*Protected boundaries*" shall mean all tracts encompassed by the outer enclosure (fence) of an airport for public use;

21. (*Repeal, SG, NO 52/2004*);

22. (*Repeal, SG No. 52/2004*);

23. "*Obstructions*" shall be construed as any and all immovable (temporary or permanent), as well as movable structures or portions thereof, situated within a zone designated for ground movement of aircraft, or rising above a specified height intended to secure the safety of aircraft in flight;

24. (*Last Amendment, SG No. 52/2004*) "*Air carrier's license*" constitutes an individual administrative act authorizing an air carrier to perform commercial air transportation.

25. "*Airline operator's certificate*" shall be a document certifying that the operator holding it has the professional competence and requisite organisation to ensure safe operation of aircraft for the air-transport activities specified in such certificate;

26. (*Last amendment - SG No. 63/2010*) "*Aerial Navigation Security*" is the sum of measures, human and material resources designed to protect the civil aviation of acts of illegal interference.

27. "*Standard*" shall be construed as any requirement relating to the physical characteristics, configuration, materials, condition, personnel or procedures whose uniform enforcement is recognised as requisite for securing the safety or regularity of air navigation;

28. "*Takeoff and landing facility/-ies*" shall be a general term standing for an airport's runway(s), taxiways, (loading) apron, tarmac, and aerial navigation facilities, devices and installations;

29. "*Sports and training aircraft*" shall mean aircraft designed for sports or flight training purposes;

30. "*Nationality mark*" shall be the combination of letters, or of digits and letters, which is unique for every member-state of the International Civil Aviation Organisation (ICAO);

31. "*Distinctive registration mark*" shall be the combination of letters, or of digits and letters, that is unique for each and every aircraft of an ICAO member-state.

32. (*Last Amendment, SG No. 81/2011*) "*Travel fees for flying in the controlled airspace of the Republic of Bulgaria*" shall be expenditure oriented fees whose amount shall be determined for one zone for collection of the fees en route.

32a. (*New, SG No. 81/2011*) "*Fees for air navigation service and use of navigation facilities of the Bulgarian Air Traffic Services Authority in the airport zones and areas*" shall be expenditure oriented fees whose amount shall be determined for one terminal zone for collection of the fees.

33. (*New, SG No. 52/2004*) The term "*Commercial air transportation*" shall denote any flight performed by an aircraft for purposes of conveyance by air of passengers, cargo and/or mail against compensation.

34. (*Last Amendment - SG No. 60/2012*) "*Serious incident*" means an incident, associated with the operation of an aircraft, involving circumstances indicating that there was a high probability of an accident and is associated with the operation of an aircraft, which in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down.

35. (Last Amendment - SG No. 60/2012) "Incident" means an occurrence, other than an aviation accident, associated with the operation of an aircraft which affects or could affect the safety of operation.

36. (Last Amendment, SG No. 81/2011) "Airport fees" shall be fees set in compliance with the provisions of the International Civil Aviation Convention to cover the cost of providing the necessary conditions and standards ensuring the safe and secure landing and parking of aircraft, use of visual navigation facilities, as well as costs pertinent to processing and safety of passengers and cargo their journey at the respective airport.

37. (New, SG No. 52/2004) "Self-service" at a public use airport shall be in evidence when an airline operator provides for its own benefit one or more of the activities pertinent to ground service as per Article 48e (3), whether on its own or through a hired ground service operator, without the said hired operator being allowed to provide services to third parties. Airline operators shall not be considered amongst themselves to constitute a third party where one operator possesses a majority stake in the other or the same entity is the owner of a majority stake in each operator.

38. (New, SG No. 52/2004) "Dry lease" shall be a leasing contract whereby the lessor (whether an airline operator or another entity) leases out an aircraft without crew to another operator (the lessee) and the said aircraft may be operated subject to the provisions of the airline operator's license or another document of equal validity of the lessee, under its trade control and in conformity with its commercial rights.

39. (New, SG No. 52/2004) "Wet lease" shall be a leasing contract whereby the lessor (an airline operator) leases out an aircraft with crew to another operator or entity (the lessee) and the said aircraft may be operated subject to the provisions of the airline operator's license or another document of equal validity of the lessor, under the trade control and in conformity with the commercial rights of the lessee.

40. (New, SG No. 52/2004, amended, No. 37/2006) "Financially stable" shall be a person found, as a result of an analysis and assessment of its balance sheet, cost and revenue and cash-flow reports, duly validated by a certified auditor, to be in sound financial condition, solvent and capable of providing the necessary funds to provide flight safety.

41. (New, SG No. 52/2004) "Control in the sense as per Article 48e (6) and Article 48g (1)" is in evidence where an entity:

- a) controls, whether through a subsidiary or by force of an agreement with a third party, more than half plus one of the votes in the general shareholders' meeting of the company; or
- b) may appoint, whether directly or indirectly, more than half of the members of the managing body of the company; or
- c) may otherwise exercise decisive influence on the process of making decisions relevant to the operation of the company.

42. (New, SG No. 52/2004) "Consumer of ground services" is an entity which regularly engages in transportation of passengers, mail and/or cargo by air from or to the respective airport.

43. (New, SG No. 52/2004) "Air traffic services" is a general term which, in this specific case, shall be used to refer to providing in-flight information, emergency notification, consulting

services in respect of air traffic, air traffic control: of the flight area and flight path, of the airport approach, and of taxiing activity within the airport.

44. (New, SG No. 52/2004) "*Air traffic control*" is the aggregate sum of on-board and ground-based functions (air traffic services, airspace control and control of air traffic) providing for the safety and effectiveness of aircraft traffic at any stage of the flight.

45. (New, SG No. 37/2006) "*Management of air space*" shall be an activity involving planning with a view to maximum utilization of available air space by dynamic distribution in time and at certain moments the division thereof between the different categories of users on the basis of their needs on a short-term scale.

46. (New, SG No. 37/2006) "*Air traffic flow management*" shall be an activity involving provision of safe, ordered and expedite air traffic flow with simultaneous provision of maximum use of capacity, inasmuch as that is possible, as well as provision of correspondence between the number of aircraft and the capacities quoted by the persons engaged in air navigation service.

47. (New, SG No. 37/2006) "*Air space users*" shall be all aircraft engaged in flights as general air traffic.

48. (Last Amendment, SG No. 81/2011) "*Air navigation service*" shall be the servicing involving direction of air traffic, communication, navigation and supervisory servicing, air navigation meteorological servicing and air navigation information servicing

49. (New, SG No. 37/2006) "*Communication servicing*" shall be air navigation fixed and mobile servicing for land-land, air-land and air-air communication for the ends of air traffic control.

50. (New, SG No. 37/2006) "*Navigation servicing*" shall be facilities and services that provide the aircraft with information as regards its location and as regards astronomical time.

51. (New, SG No. 37/2006) "*Servicing on supervision*" shall be services, facilities and information to determine the positions of aircraft to ensure safe separation.

52. (New, SG No. 37/2006) "*Meteorological servicing*" shall be facilities and services that provide an aircraft with weather forecasts, short notices and observations, as well as other meteorological information and data provided by the countries for air navigation use.

53. (New, SG No. 37/2006) "*Air navigation information servicing*" shall be provision within a certain area of coverage of air navigation information and data necessary for the safety, regularity and efficiency of aviation.

54. (New, SG No. 37/2006) "*General air traffic*" shall be traffic of civil and state aircraft that has been effected in accordance with ICAO procedures.

55. (New, SG No. 37/2006) "*Serviced civil air space*" shall be air space that does not include the off-limit zones, activated danger zones, activated restricted zones and the temporarily reserved air space in the regions and zones of military airfields in the cases of operative air traffic.

56. (New, SG No. 37/2006) "*Operative data*" shall be information about all phases of a flight for which operative decision-making is required from the person that provides air navigation services, the users of air space, airport operators and other parties involved.

57. (New, SG No. 105/2006) "*Repeat*" offence is the one committed within a period of one year after the effectiveness date of the penalty decree imposing a penalty for a violation of the same kind.

58. (New, SG No. 66/2008, effective 25 July, 2008) An '*act of unlawful interference*' shall mean any threat, attempt or action directed against civil aviation security.

59. (Repeal - SG No. 1/2019)

60. (New, SG No. 81/2011) "*Airport user*" shall be any natural or legal person responsible for the carriage of passengers, mail and/or freight by air to or from the airport concerned;

61. (New, SG No. 81/2011) "Sports flights" shall be flights where pilot capabilities are demonstrated and evaluated, with no limitations on the special positioning of the aircraft, on competition base, or training sessions for such demonstrations, conducted with specifically approved for such purpose aircrafts. Sports flights shall also include free (with no connection to another aircraft or land) flights with gliders.

62. (Last Amendment - SG No. 1/2019) "Ultra-light aircrafts" shall be aircrafts under letters "e", "f" and "i" of Annex I to Regulation (EU) No 2018/1139.

63. (Last Amendment - SG No. 1/2019) "Commercial operation with aircraft" means any aircraft operation for payment or other remuneration which is publicly available or when it is not publicly available, which is executed under a contract between an operator and a user of the service without any control by the user of the service over the operator.

64. (New, SG No. 81/2011) "Flight and technical documentation" shall be guide on flights, program for prevention of aviation accidents, accidents investigation instruction, quality guarantee program, technical board log, aircraft technical service program, list of minimum technical equipment, description of organization for maintenance of permanent airworthiness, technical service organization description/guide, description of the organization for training and examining of the technical service personnel, technical service control guide, approval for simulator for training and maintenance of the flight training of an aircraft, guide on the activity of the organization/training center for training of flight personnel, flight program for training and maintenance of the flight training of the flight personnel trained in the training center.

65. (New, SG No. 81/2011) "Aviation sports" shall be sports activities including aerobatics, flight with balloons, engine aircraft and gliders flights, including air races with aircrafts, parachute jumps, paragliding and others.

66. (New, SG No. 81/2011) "Aerobatics" shall be purposeful maneuvering with aircrafts with no limitations on their spatial positioning.

67. (Last Amendment - SG No. 62/2019, in force as of 06.08.2019) "Investigating inspector" means an official from the National Air, Water and Rail Accident Investigation Board staff, charged with responsibility to participate and conduct safety investigations.

68. (New - SG No. 60/2012) "Fatal injury" means an injury which is sustained by a person in an accident and which results in his or her death within 30 days of the date of the accident.

69. (New - SG No. 60/2012) "Serious injury" means an injury which is sustained by a person in an accident and which involves one of the following:

a) hospitalisation for more than 48 hours, commencing within 7 days from the date the injury was received;

b) a fracture of any bone (except simple fractures of fingers, toes, or nose);

c) lacerations which cause severe haemorrhage, nerve, muscle or tendon damage;

d) injury to any internal organ;

- e) second or third degree burns, or any burns affecting more than 5 % of the body surface;
- f) verified exposure to infectious substances or harmful radiation.

70. *(New - SG No. 60/2012)* "Safety investigation" means a process conducted by a safety investigation authority for the purpose of accident and incident prevention which includes the gathering and analysis of information, the drawing of conclusions, including the determination of cause(s) and/or contributing factors and, when appropriate, the making of safety recommendations.

71. *(New - SG No. 28/17.04.2015)* "Controlled airspace" means airspace with specified size in whose borders service regarding the control of air traffic in accordance with the classification of the airspace is ensured."

72. *(Repeal - SG No. 56/2018)*

73. *(New - SG No. 1/2019)* "Full Controller" ("Regulated Agent") is an air carrier, agent, freight forwarder or other entity that ensures security of cargo or mail security.

74. *(New - SG No. 1/2019)* "Unmanned aircraft (drones)" means an aircraft that is controlled or intended to be operated independently or remote controlled without a pilot on board.

75. *(New - SG No. 16/2021)* "Known consignor" means a person who provides cargo or mail at his own expense and whose procedures comply with general security rules and standards that are sufficient to allow cargo or mail to be carried by any aircraft.

76. *(New - SG No. 16/2021)* "Full supplier of goods for flight" means a person whose procedures comply with common rules and security standards sufficient to deliver goods destined for flight directly on board an aircraft.

77. *(New - SG No. 16/2021)* "Airport flight information service" is a flight information service and emergency alert service of the airport traffic of a given airport.

78. *(New - SG No. 16/2021)* "Commander" means a pilot who has training for the post, is appointed commander and is responsible for the safe conduct of the flight for the purpose of commercial air transport operations.

79. *(Last Amendment - SG No. 87/2025)* "Aviation Medical Expert (AME)" is a doctor with the necessary qualification for practicing the medical profession and completed specialized training in aviation medicine, authorized by the General Directorate of Civil Aviation Administration to perform medical examinations of pilots, cabin crew and air traffic controller (ATC) on the territory of the country as required by Commission Regulation (EU) N<sup>o</sup> 1178/2011 pursuant to Commission Regulation (EU) 2015/340 of 20 February 2015 laying down technical requirements and administrative procedures for certificates of competency and other certificates and certificates of air traffic controllers pursuant to Regulation (EC) N<sup>o</sup> 216/2008 of the European Parliament and of the Council, amending Commission Implementing Regulation (EU) N<sup>o</sup> 923/2012 and repealing Regulation (EU) ) N<sup>o</sup> 805/2011 of the Commission (OJ L 63/1 of 6 March 2015).

80. *(New - SG No. 16/2021)* "Comprehensive check" is a check on a person's identity and background, including his or her court record, as part of the assessment of whether a person should have unguarded access to secure restricted areas.

81. *(New - SG No. 16/2021)* "Psychoactive substance" means alcohol, opioids, cannabinoids, sedatives and hypnotics, cocaine, other psychostimulants, hallucinogens and volatile solvents, excluding caffeine and tobacco.

82. *(New - SG No. 16/2021)* "Platform" means a defined area in which aircraft are located for the purpose of embarking or disembarking passengers, loading or unloading of postal items or cargo, refueling, parking or maintenance.

83. *(New - SG No. 16/2021)* "Controlled aerodrome" means an aerodrome at which aerodrome control services are provided, whether or not there is a controlled area.

84. (New - SG No. 16/2021) "Head of Security" means the person to whom the security program of the operator or entity is assigned and responsible, at national or local level, and its implementation to comply with the applicable security requirements in civil aviation.

85. (New - SG No. 16/2021) "Commercial air transport" means the flight of an aircraft for the carriage of passengers, cargo or mail for remuneration or other consideration.

86. (New - SG No. 16/2021) "Trade operation" is an operation carried out against remuneration and / or at the expense of the other party.

87. (New - SG No. 16/2021) "International airport" is an airport intended for entry and departure of international air traffic and where customs, health, veterinary, phytosanitary and other procedures are performed.

88. (New - SG No. 16/2021) "Unmanned aerial vehicle (UAV)" means an unmanned aerial vehicle and its remote control equipment.

89. (New - SG No. 16/2021) "Unmanned aerial vehicle operator ("UAV operator") " means any legal or natural person who operates or is registered to operate one or more UAV.

90. (New - SG No. 16/2021) "Remote pilot" means a natural person responsible for the safe conduct of an unmanned aerial vehicle by controlling its flight performance manually or, when the unmanned aircraft is flying in automatic mode, by following its course and at all times. able to intervene and change course.

91. (New - SG No. 16/2026) "Operating site" is a site, other than an airport, which is designated by the operator or commander of the aircraft for the landing and take-off of aircraft and/or for cargo handling operations.

**§ 4** (Repeal, SG No. 108/2006).

## **TRANSITIONAL AND FINAL PROVISIONS**

**§ 5** (Former Article 152, SG No.85/1998) Any and all cases not regulated by this Act and by the international conventions to which the Republic of Bulgaria is a party shall be subject to the applicable Bulgarian laws.

**§ 6** (Last Amendment, SG No. 85/1998) (1) The Minister of Transport and Communications shall be required to enact ordinances, regulations and instructions governing the enforcement of this Act and all the ratified international agreements in the field of Civil Aviation.

(2) Any regulations, norms and standards under this Act must conform to the relevant requirements of the International Civil Aviation Organisation and of the European Union.

(3) (New, SG No. 37/2006, repealed, SG No. 10/2007)

**§ 7** (Former Article 154, SG No. 85/1998) This Act shall rescind the Civil Aviation Act, promulgated in the official State Gazette, issue No. 1 of January 4, 1963 and the Book of the Rules of the Air Transport in the People's Republic of Bulgaria, promulgated in the official Izvestiya publication, issue No. 93 of November 18, 1960.

The implementation and enforcement of this Act shall be hereby assigned to the Minister of Transport and Communications.