

Please note that the original language version of this page [bg](#) has been amended recently. The language version you are now viewing is currently being prepared by our translators.

Bulgarian

Swipe to change

National legislation

Bulgaria

This page offers you information on the Bulgarian legal system and an overview of Bulgarian law.

Sources of law**National sources of law**

Sources of law include

The Constitution of the Republic of Bulgaria (Prom. SG 56/13 Jul 1991, amend. SG 85/26 Sep 2003, SG 18/25 Feb 2005, SG 27/31 Mar 2006, SG 78/26 Sep 2006 - Constitutional Court Judgement No.7/2006, SG 12/6 Feb 2007),

Legislative acts and

Regulations.

Case law is not a formal source of law, but it has persuasive authority.

European and international sources of law

One of the principal sources of law in Bulgaria is European Union law.

International treaties negotiated between Bulgaria and third states form part of the domestic legal order.

International treaties that have been ratified in accordance with constitutional procedure, promulgated and come into force in Bulgaria become part of the legislation of the state. Such law has primacy over any conflicting provision in the domestic legislation.

All legislative Acts must be promulgated and come into force three days after the date of their publication, unless otherwise envisaged in the Acts themselves.

Types of legal instruments – description

Written instruments include the Constitution of the Republic of Bulgaria, international treaties, legislative instruments and regulations (decrees, regulations, ordinances, rules, instructions and orders).

The **Constitution of the Republic of Bulgaria** is the highest-ranking norm. It establishes the organisation, principles, powers and duties of state institutions, as well as the rights and duties of citizens.

A **law** is a normative act that governs or interprets (based on the Constitution) social relations susceptible to durable regulation, according to subject matter or the subjects of one or more legal institutes or their subdivisions. For further details please refer to article 3 of the Law on Normative Acts of the Republic of Bulgaria.

All legislative Acts must be promulgated and come into force three days after the date of their publication, unless otherwise envisaged in the Acts themselves.

The Council of Ministers issues a **decree** when it approves regulations, ordinances or instructions, and when it issues regulations to provide for social arrangements not regulated in the sphere of its executive and ordering activity. For further details please refer to article 6 of the Law on Normative Acts of the Republic of Bulgaria.

A **regulation** is a normative act issued to implement a law in its entirety. It provides for the organisation of state and local bodies or for the internal order of their activities.

An **ordinance** is a normative act issued to implement certain provisions or other sections of a normative act of higher power.

An **instruction** is a normative act, whereby a higher body instructs subordinate bodies on the implementation of a normative Act, or whose fulfilment it must ensure.

Other sources that are not written down, such as **customs** and **general principles of law**, are important as well.

The **interpretative decisions of the supreme courts** can be regarded as a subsidiary source of law.

Rulings of the Constitutional Court must be promulgated in the state gazette within 15 days of the date on which they are issued. A ruling must come into force three days after its promulgation. Any Act found to be unconstitutional will cease to apply on the date such a ruling comes into force. Any portion of a law that is not ruled as unconstitutional will remain in force.

Hierarchy of norms

The Constitution of the Republic of Bulgaria is the supreme law. The supremacy of EU law is not specifically established in the Constitution, but is considered superior to national law.

According to Article 5 (4) of the Constitution, international treaties that have been ratified in accordance with the constitutional procedure, promulgated and come into force in the Republic of Bulgaria, become part of the legislation of the state. They have primacy over any conflicting provision of the domestic legislation.

At the next level are the legislative instruments.

The executive power has the right to enact regulations, such as decrees, ordinances, resolutions, rules, regulations, instructions and orders.

Institutional framework**Institutions responsible for the adoption of legal rules**

The National Assembly is vested with the legislative authority. It can pass, amend, supplement and repeal laws.

In order to implement laws, the Council of Ministers adopts decrees, ordinances and resolutions. The Ministers issue rules, regulations, instructions and orders.

As regards international instruments, the Council of Ministers concludes international treaties when authorised to do so by law. The National Assembly ratifies (or rejects) international treaties that:

Are of a political or military nature

Concern the Republic of Bulgaria's participation in international organisations

Envisage corrections to the borders of the Republic of Bulgaria
Contain obligations for the Treasury
Envisage the state's participation in international arbitration or legal proceedings
Concern fundamental human rights
Affect the action of the law or require new legislation in order to be enforced
Expressly require ratification
Confer to the European Union powers ensuing from the Constitution

Decision - making process

Adoption of the Constitution

A Grand National Assembly, consisting of 400 members, adopts a new Constitution if necessary.

For further details, please refer to article 158, paragraph 1 of the Constitution of the Republic of Bulgaria.

The National Assembly is free to amend all provisions of the Constitution except those that fall under the prerogative of the Grand National Assembly. A constitutional amendment requires a majority of three-quarters of the votes of all members of the National Assembly in three ballots on three different days. An amendment to the Constitution is signed and promulgated in the state gazette by the chairperson of the Grand National Assembly within seven days of being passed.

Legislative decision-making process

According to Article 87 of the Constitution, any member of the National Assembly or the Council of Ministers has the right to introduce a Bill.

A Bill is adopted by the National Assembly in two readings. During the first reading, the Bill is debated in its entirety. MPs may submit written motions to amend a Bill that has been adopted at first reading within the term specified by the National Assembly. The National Assembly debates the Bill in detail and adopts it at the second reading. The adopted Bill is sent to the President of the Republic of Bulgaria who signs a decree for its promulgation. The Act is promulgated in the state gazette and comes into force after three days, unless another term is specified in the Act.

Legal databases

The state gazette is available free of charge on the [State Gazette](#) website. The online edition contains Bills promulgated by the National Assembly, decrees by the Council of Ministers, international treaties, other legal acts, as well as all public procurement and concession notices.

Commercial legal databases such as [Apis](#), [Ciela](#) and the [Juridical Encyclopaedia](#) offer a full range of legal information, but are not free of charge.

Last update: 17/12/2018

The national language version of this page is maintained by the respective Member State. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. The European Commission accepts no responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.

Member States in charge of the management of national content pages are in the process of updating some of the content on this website in the light of the withdrawal of the United Kingdom from the European Union. If the site contains content that does not yet reflect the withdrawal of the United Kingdom, it is unintentional and will be addressed.