

The Council of Ministers

**Decree No 274
dated 29 November 2002**

for adoption of Regulation on Implementation of the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies

**THE COUNCIL OF MINISTERS
HAS DECREED:**

Single Article. Approves Regulation on Implementation of the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies

Final provisions

§ 1. The following shall be revoked:

1. The Regulation on Implementation of the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies, adopted by Decree No 38 of the Council of Ministers dated 1996 (published, State Gazette, issue 21, dated 1996, amended and supplemented, issue 35 dated 1996, issue 45 dated 1997, issue 114 dated 1999, issue 4 dated 2001 and issue 86 dated 2002).
Decree No 38 of the Council of Ministers dated 1996 for adoption of Regulation on Implementation of the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies, and amendment of regulative acts of the Council of Ministers (published, State Gazette, issue 21 dated 1996, amended issue 114 dated 1999).
2. Instruction No 1 of the Minister of Trade and Foreign Economic Cooperation dated 1996 on the order of the work of the Commission for Control and Permission of Foreign Trade Deals with Arms and Dual-Use items and technologies (State Gazette, issue 39 dated 1996).

§ 2. In the Council of Ministers Decree No 193, dated 1993 for termination of the State Commission on Regulation and Control on the Regime for Production and Trade with Military and Special Products and the Inter-Ministerial Council on the Defense – Mobilization Preparedness of the Country and for establishment of an Inter-Ministerial Council on the Matters of the Military Industry Complex and Mobilization Preparedness of the Country (published, State Gazette, issue 89 dated 1993, amended and supplemented, issue 29 dated 1994, issue 31 and 97 dated 1995, issue 21 and 50 dated 1996, issue 2 dated 1997, corrected, issue 4 dated 1997, amended and supplemented, issues 6, 21, 24, 59 and 100 dated 1997, issue 114 dated 1999, issue 96 dated 2000, issue 70 dated 2001 and issue 96 dated 2002) the following amendments and supplementations are made in Article. 3, Paragraph 1, item 2:

1. Points c), d) and e) shall be amended as follows:

“c) shall issue licenses for performance of foreign trade activity in arms and dual-use items in the cases of export of such dual-use items and technologies;
d) shall issue licenses for transportation of arms;
e) shall maintain a register of the persons, licensed to perform foreign trade activity in arms and dual-use items and technologies, and to the traders, licensed for transportation of arms;”

2. In point f) the words “Commission for Control and Permission of Foreign Trade Deals with Arms and Dual-Use Items and Technologies” shall be replaced by “the Interdepartmental

Commission for Export Control and Non-Proliferation of Weapons of Mass Destruction with the Minister of Economy”

3. Point g) shall be amended as follows:

“g) presents to the Council of Ministers jointly with the Interdepartmental Commission under point f) annual report on the implementation of the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies;”

4. Point k) shall be created:

“k) shall issue licenses for performance of intermediary activity related to foreign trade deals with arms and dual-use items and technologies.”

§ 3. In the Organizational Regulation of the Ministry of Economy adopted by Decree No 9 of the Council of Ministers dated 2000 (published, State Gazette, issue 14 dated 2000; amended and supplemented issue 98 dated 2000, issues 17, 44 and 88 dated 2001 and issues 59 and 93 dated 2002) the words “Commission on Control and Permission of Foreign Trade Deals with Arms and Dual-Use Items and Technologies” in Article. 40a, item 1 shall be replaced with “the Interdepartmental Commission for Export Control and Non-proliferation of Weapons of Mass Destruction under the Minister of Economy”.

§ 4. The following amendments and supplements shall be made in the Tariff on the Fees, which shall be collected under Article. 7, Paragraph 3, and under Article. 10, Paragraph 3 of the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies – Annex to Article. 1 of Decree No 54 of the Council of Ministers dated 1996 (published, State Gazette, issue 27 dated 1996, amended and supplemented, issue 55 dated 1997):

1. The name of the Tariff shall be amended as follows:

“Tariff on the Fees, which shall be collected under the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies”.

2. Articles 1 and 2 shall be amended as follows:

“Article. 1. The following fees shall be collected for:

1. filing an application for a license to the Inter-Ministerial Council on the Matters of the Military Industry Complex and Mobilization Preparedness of the Country – BGN 12;
2. issuance of a full license for performance of foreign trade activity in arms – BGN 6000;
3. issuance of a limited license for performance of foreign trade activity in arms BGN 3000;
4. issuance of a license for transportation of arms – BGN 1000;
5. issuance of a full license for export of dual-use items and technologies – BGN 2000;
6. issuance of a limited license for export of dual-use items and technologies – BGN 1000;
7. issuance of a full license for intermediary activities related to foreign trade activity in arms – BGN 1500;
8. issuance of a limited license for intermediary activities related to foreign trade activity in arms – BGN 1000;
9. issuance of a full license for intermediary activities related to foreign trade activity with dual-use items and technologies – BGN 1000;
10. issuance of a limited license for intermediary activities related to foreign trade activity in dual-use items and technologies – BGN 500;

Article. 2. The following fees shall be collected for:

1. filing an application to the Interdepartmental Commission for Export Control and Non-Proliferation of Weapons of Mass Destruction– BGN 12;
2. issuance of a permit for a foreign trade deal with arms – BGN 120;
3. issuance of a permit for import or export of single numbers of arms (samples) – BGN 12;
4. issuance of a permit for foreign trade deals with dual-use items and technologies – BGN 57;

5. extension of the validity of a permit for foreign trade deals with arms or dual-use items and technologies – BGN 45;
 6. issuance of a permit for transit transportation of arms – BGN 23;
 7. issuance of a permit for transit transportation of radioactive, explosive, flammable, oxidizing, corrosion, bacteriological (biological), toxic and pathogenic items with potential dual use – BGN 23.”
3. A final provision shall be created:

“Final Provision

Single Paragraph. The Tariff shall be adopted on the grounds of Article. 5, Paragraph 6 and Article 9, Paragraph 6 of the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies.”

§ 5. The following amendments shall be made in Decree No 54 of the Council of Ministers, dated 1996 for approval of a Tariff of the Fees, which shall be collected under Article. 7, Paragraph 3 and under Article 10, Paragraph 3 of the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies and for amendment of regulative acts of the Council of Ministers (published State Gazette, issue 27, dated 1996, amended, issue 45 dated 1997 and issue 14 dated 2000):

1. In the title the words “Tariff of the Fees, which shall be collected under Article. 7, Paragraph 3 and under Article. 10, Paragraph 3 of the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies” shall be replaced with “Tariff of the Fees, which shall be collected under the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies.
2. Article 1 shall be amended as follows:

“Article. 1. Shall approve a Tariff of the Fees which shall be collected under the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies as per the Annex .”

§ 6. The following amendments shall be made in the Regulation on Implementation of the Law on Control on the Explosives, Firearms and Ammunitions, adopted by virtue of Decree No 169 of the Council of Minister dated 1999 (published, State Gazette, issue 78 dated 1999, amended, issue 58 dated 2001 and issue 1 dated 2002):

1. In Article. 62, Paragraph 1 the words “Commission on Control and Permissions of Foreign Trade Deals with Arms and Dual-Use Items and Technologies with the Ministry of Trade and Tourism (MTT)” shall be replaced with “the Interdepartmental Commission for Export Control and Non-Proliferation of Weapons of Mass Destruction with the Minister of Economy”.
2. The words “with the MTT” in Article. 62, Paragraph 2, item 3 shall be deleted.

§ 7. The Decree shall be adopted on the grounds of § 24 of the Transitional and Final Provisions of the Law on Amendment and Supplementation of the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies (State Gazette, issue 75 dated 2002).

Prime Minister:
Simeon Saxe-Cobourg Gotha

Chief Secretary of the Council of Ministers:
Sevdalin Mavrov

Regulation
on Implementation of the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items
and Technologies

Chapter One
General Provisions

Article. 1. (1) These Regulation shall provide in accordance with the Law on Control of Foreign Trade Activity in Arms and Dual-Use Items and Technologies the terms and conditions for performance of foreign trade activity in arms, dual-use items and technologies, the control of the state on these activities, the composition and the order of activity of the Interdepartmental Commission for Export Control and Non-proliferation of Weapons of Mass Destruction with the Minister of Economy.

(2) The arms and dual-use items and technologies under Paragraph 1 shall be included in a list, adopted by the Council of Ministers.

Chapter Two
FOREIGN TRADE ACTIVITY IN ARMS

Section I
Basic Provisions

Article. 2.

(1) The foreign trade activity in arms may be carried out solely by commercial companies registered under the Commerce Act, which have received a license for such activity by the Inter-Ministerial Council on the Matters of the Military Industry Complex and Mobilization Preparedness of the Country under the Council of Ministers, called hereunder the Inter-Ministerial Council.

(2) The license for foreign trade activity in arms shall be issued initially for a term of one year, following the expiry of which every subsequent license shall be issued for the term of 3 years.

(3) The scope of the license under Paragraph 1 may be full or limited in respect of the items under the List of Arms and Dual-Use Items and Technologies and/or in respect of the country – end-user or exporter.

Article. 3. The license is personal and may not be transferred or granted to other persons.

Article. 4.

(1) The companies which have received a license under Article. 2 shall perform every foreign trade deal with arms on the basis of a permit granted by the Interdepartmental Commission for Export Control and Non-Proliferation of Weapons of Mass Destruction under the Minister of Economy, called hereunder the Interdepartmental Commission.

(2) The permit shall be issued within the scope of the license for a period of 6 months and may be extended once for a period of up to 6 months, while the term of the permit and its extension may not exceed the term of the license.

Article. 5. Fees at an amount determined by the Council of Ministers shall be paid for the obtaining of a license for performance of foreign trade activity in arms and permit for each deal. In case of suspension of the license and/or the permit the fees paid shall not be subject to reimbursement.

Section II

License for foreign trade activity in arms

Article. 6

(1) A license shall be issued to a commercial company when it meets the requirements for reliability for performance of foreign trade activity in arms and is economically stable.

(2) The license under Paragraph 1 shall be issued in 2 copies as per form – Annex No 1. The first copy shall be provided to the applicant and the second one shall be kept with the Inter-Ministerial Council.

(3) The commercial companies under Paragraph 1, applying for the granting of a license shall submit to the Inter-Ministerial Council the following documents:

1. An application as per form approved by the Inter-Ministerial Council;
2. A document of court registration and an original of court certificate of current status of the applicant, issued not earlier than 30 days from the filing of the applications and reflecting all changes of circumstances listed in the Commercial Register;
3. A document by the Ministry of Interior that the applicant has established the required organization for storage of arms in accordance with the requirements of the Law on Control on the Explosives, Firearms, and Ammunitions;
4. A document issued by the competent authorities that the applicant has established conditions for safeguarding of the classified information representing state secret in the cases when this is necessary under the Law on Protection of Classified Information;
5. A list of individuals, who will participate directly in these activities, coordinated with the security authorities, accompanied with a curriculum vitae and job reference, certificate for lack of previous conviction and a sample of the signature;
6. A certificate for lack of previous conviction of the General Manager, the members of a Management or Control body of the commercial company;
7. A copy of the documents certifying the tax registration and National Statistics Institute registration (BULSTAT code);
8. A certificate issued by the Territorial Tax Directorate or the Tax Division as per registration of the company as to the absence of liquid and demandable public liabilities or a certificate that the public liabilities are deferred, rescheduled or secured;
9. A certificate from the social insurance funds of the state social insurance as to the absence of liquid or demandable liabilities, or a certificate that the liabilities have been deferred, rescheduled or secured;
10. A declaration by the General Manager, by the members of a Management or Control body of the commercial company that the company does not have liquid and demandable liabilities to natural persons or legal persons, where the payable has been recognized to the body under enforced execution or where a court decision entered into force has been established, with a document certified by a Notary Public or with a promissory note;
11. A document as to the paid state fee.

Article. 7.

(1) The Inter-Ministerial Council shall pronounce on the applications within 30 days as of their filing.

(2) Upon finding of incompleteness in the presented documents within 7 days as of the date of filing the documents, the Inter-Ministerial Council shall send notification to the applicant to eliminate the incompleteness while providing guidance as to their elimination. In this case the deadline under Paragraph 1 shall stop as of the date of sending the notification until elimination of the incompleteness.

(3) The decision as to granting a license or refusal shall be announced to the applicant within 7 days from the date of taking the decision.

Article. 8. The Inter-Ministerial Council shall notify the Ministry of Interior, the Central Customs Office of the Customs Agency and the Interdepartmental Commission within 5 working days as to the licenses issued and renewed.

Article. 9. The commercial companies that obtained a license shall be obliged to inform the Inter-Ministerial Council as to any change in the circumstances under which the license has been issued within 14 days as of its occurrence and to present the respective document under Article 6, Paragraph 3.

Section III

Permit for foreign trade deal with arms

Article. 10.

(1) A permit for foreign trade deal for import or export of arms shall be issued only to the commercial companies under Article. 2 holding license for performance of such activities.

(2) The Interdepartmental Commission shall decide on the applications within 20 days as of their filing.

(3) Upon finding of incompleteness of the submitted documents the Interdepartmental Commission shall send notification to the applicant within 7 days for elimination of the incompleteness while giving guidance as to their elimination. In this case the deadline under Paragraph 2 shall stop as of the date of sending the notification until elimination of the incompleteness.

(4) In case of necessity for conducting an inspection on the documents submitted, including an inspection via diplomatic channels, the Interdepartmental Commission may postpone for the next meeting the review and decision on the application for issuance of a permit within the deadline set out under Paragraph 2.

(5) The permit or refusal shall be announced to the applicant within 7 days as of the date of taking the decision.

(6) The first copy of the issued permit shall be submitted to the applicant, the second one shall be sent to Security National Authority with the Ministry of Interior, the third copy shall be sent to the Central Customs Office of the Customs Agency and the fourth copy shall be kept with the Interdepartmental Commission.

Article. 11. (1) The permit for a foreign trade deal with arms shall be issued for a period of 6 months as of the date of issuance, which period may not exceed the period of the license.

(2) If a deal allowed under the provisions of this Chapter will has not been executed within the deadline, the applicant may request extension of the deadline by means of a motivated written request not later than 15 days prior to its expiry, while specifying the part of quantities not realized.

(3) The permit may be extended under the order of Paragraph 2 only once for a period of 6 months, which period shall not be longer than the period of validity of the license.

Article. 12. The Interdepartmental Commission shall inform the Ministry of Interior and the Central Customs Office of the Customs Agency within 5 days as to the permits issued and extended.

Article. 13. Following the drawing up of the customs documents on the last shipment with which the quantity allowed under the permit for export or import is exhausted, or following the term of validity, the applicant shall return the original of the permit to the Interdepartmental Commission within 7 working days.

Article. 14.

(1) The permit may be used solely by the person under Article 10, Paragraph 1, for which it has been issued.

(2) The applicant shall be obliged to inform the Commission in writing within 5 days as to all changes in the conditions under which the deal has been allowed.

(3) Following receipt of a permit for a specific deal, changes in the terms and conditions of the deal may be made following the consent of the Interdepartmental Commission.

(4) The document evidencing the conclusion of a foreign trade deal, which the applicant shall submit to the Interdepartmental Commission shall obligatory include:

1. price;
2. parties on the deal;
3. name of the items;
4. quantity;
5. terms of delivery;
6. term of execution;
7. a provision for non-permission of re-export by the buyer and/or the end-user, without the written consent of the Interdepartmental Commission.

(5) If considered so, the Interdepartmental Commission may require from the applicant additional information, which is related to the foreign trade deal.

A. Import Permit

Article. 15.

Foreign trade deal for import of arms shall be carried out on the grounds of an import permit issued by the Interdepartmental Commission. The permit shall be issued as per standard form in 4 copies – Annex No 2.

Article. 16.

(1) For obtaining arms import permit the licensed commercial company shall present to the Interdepartmental Commission the following documents:

1. a filled-in standard form application– Annex No 3;
2. a permit filled-in in 4 copies;
3. a copy of the license for performance of foreign trade activity in arms issued by the Inter-Ministerial Council;
4. a copy of the license for performance of intermediary activities issued to the intermediary by the Inter-Ministerial Council if there is such under the deal;
5. a copy and a certified translation into Bulgarian of a document, issued by a competent authority of the country in which the exporter is registered, verifying its right to perform this type of activity under the exporter's national legislation;
6. a copy and certified translation into Bulgarian of the document verifying the foreign trade deal (an agreement, proforma-invoice, invoice, order, sample document, etc.), as well as all other agreements related to the execution of the deal (for example, with the Bulgarian or the foreign partner – intermediary, forwarding company, transport company, end-user or manufacturer);
7. a written declaration by the importer and written declaration by the end-user that the imported arms shall not be re-exported or transferred to third individuals and/or legal persons without the permission of the competent Bulgarian authorities and that the arms shall be used in compliance with the effective Bulgarian legislation;
8. a copy of an end-user certificate if such has been issued to the applicant as per request of the competent authorities of the country in which the exporter is registered;
9. a document certifying the paid state fee.

(2) The import permit issued shall be presented by the importer to the respective customs office together with the customs declaration for the specific customs regime.

(3) The import shall be verified by means of copy of the customs declaration certified by the customs authority (Unified Administrative Document, UAD) and arms import permit in which the number and date of the customs manifest and the number and date of the customs declaration shall be written under each separate shipment.

Article. 17.

(1) If the country of the exporter requires from a Bulgarian importer an end-user certificate, it shall be issued in 3 copies as per standard form – Annex No 4, as follows:

1. by the Ministry of Defense – when the arms are intended for the needs of the defence forces;
2. by the Ministry of Economy – when the arms are intended for production activity of the commercial companies or for the purpose of re-export;
3. By the Ministry of Interior – when the arms are intended for the needs of this Ministry or for the purpose of sales at the domestic market.

(2) The first copy of the certificate shall be provided to the applicant, the second one shall be sent to the Interdepartmental Commission, and the third copy shall be kept with the respective Ministry.

(3) The name staff list of the persons (the titular and the deputy) who have the right to sign end-user certificates under Paragraph 2, shall be approved by the Chairman of the Inter-Ministerial Council as per proposal of the respective Ministers. The specimen of the signatures shall be sent to the Inter-Ministerial Council, the Interdepartmental Commission, the Ministry of Interior and the Ministry of Foreign Affairs.

Article. 18.

(1) If the country of the exporter requires from a Bulgarian importer international import certificate, the latter shall be issued by the Interdepartmental Commission in two copies as per standard form – Annex No 5.

(2) The international arms import certificate shall be issued by the Interdepartmental Commission within 7 days based on the arms import permit issued by the Interdepartmental Commission. The first copy of the certificate shall be provided to the applicant, the second shall be kept with the Interdepartmental Commission.

(3) the international import certificate shall be signed by the Secretary of the Interdepartmental Commission, and in his/her absence – by the Record keeper of the Interdepartmental Commission. The specimens of their signatures shall be sent to the Inter-Ministerial Council, the Ministry of Interior and the Ministry of Foreign Affairs.

Article. 19.

(1) To obtain a certificate under Article 17 or 18 the Bulgarian importer shall submit to the respective authority the following documents:

1. an application for receipt of a certificate with stated reasons as to its issuance (for the international import certificate the reference number of the issued import permit shall be specified as well);
2. an original and certified translation of a document issued by a competent authority of the country of the foreign exporter or by the foreign exporter, or a copy and a certified translation of an agreement verifying the necessity of issuance of the certificate;
3. in the cases of issuing an end-user certificate, a document verifying the right of the end-user to perform the activities for which the items are imported, shall be presented;
4. filled-in copies of the certificate; the blank end-user certificates shall be received from the respective Ministry under Article 17, Paragraph 1, and the blank international import certificates – by Internationally Controlled Commerce Directorate at the Ministry of Economy.

(2) Registers shall be maintained for the issued certificates.

(3) The Ministries under Article 17, Paragraph 1 shall decide on the applications within 15 days as of the date of their submission.

(4) In case of finding of incompleteness of the submitted documents the bodies under Article 17 and 18 shall send a notice to the applicant to eliminate the incompleteness while giving guidance as to their elimination. In this case the deadline under Paragraph 2 shall stop as of the date of sending the notification until the elimination of the incompleteness.

(5) The issuance of a certificate or the refusal shall be announced to the applicant within 3 days as of the date of taking the decision.

(6) The first copy of the certificate under Article 17 shall be provided by the applicant to the foreign exporter within 6 months as of the date of its issuance.

(7) Following the expiry of 6 months as of the issuance of the certificate under Article 17 the importer shall send to the Interdepartmental Commission and to the respective Ministry information as to its provision to the foreign exporter. In case of non-provision within the specified period the applicant shall return the original of the certificate.

(8) The first copy of the certificate under Article 18 shall be provided by the applicant to the foreign exporter.

Article. 20.

(1) If the country of the exporter requires delivery verification certificate, the importer following releasing of the items with the respective customs authority shall present a filled-in delivery verification certificate in 3 copies, as per standard form – Annex No 6, and attaching a copy of the respective import permit thereto.

(2) The customs office processing the import of the items shall certify the certificate within 3 days, and the first copy of the delivery verification certificate shall be provided to the applicant.

(3) The Central Customs Office of Customs Agency shall send the second copy of the delivery verification certificate, certified by it to the Interdepartmental Commission within 15 days as of the date of certification, and the third copy shall be kept in the Central Customs Office of Customs Agency.

(4) The applicant shall receive the blank delivery verification certificates from the Interdepartmental Commission, following the filing of an application with stated reasons, as to the necessity of issuance of a delivery verification certificate .

B. Export Permit

Article. 21. The foreign trade deal for export of arms shall be made on the grounds of an export permit issued by the Interdepartmental Commission. The permit shall be issued in 4 copies as per standard form – Annex No 7.

Article. 22.

(1) To obtain an export permit the licensed commercial company shall submit to the Interdepartmental Commission the following documents:

1. filled-in application as per standard form – Annex No 3;
2. filled-in permit in 4 copies;
3. a copy of the license for performance of foreign trade activity in arms issued by the Inter-Ministerial Council

4. a copy of the license for performance of intermediary activities issued by the Inter-Ministerial Council to the intermediary, if there is such under the deal;
5. a copy and a certified translation to Bulgarian of a document issued by a competent authority in the country of the foreign counter party – importer verifying the right of the latter to perform this type of activity under the importer’s national legislation;
6. an end-user certificate and/or international import certificate in original issued by the competent authorities of the country of the end-user and a certified translation of the certificate into Bulgarian;
7. a copy and a certified translation into Bulgarian of the document confirming the foreign trade deal (an agreement, proforma-invoice, invoice, order, document of samples, etc.) as well as all other agreements related to the execution of the deal (for example with the Bulgarian or foreign partner – intermediary, forwarder, transport company, end-user or manufacturer);
8. a document on the paid state fee.

(2) The document certifying the conclusion of the foreign trade deal obligatory shall include a provision for non-permission of re-export by the buyer and/or the end-user without the written consent of the Interdepartmental Commission.

(3) To obtain a re-export permit, apart from the documents required under Paragraph 1, the re-exporter shall present to the Interdepartmental Commission:

1. a re-export permit by the competent authority of the country from which the items are imported;
2. when the competent authority of the country from which the items are imported has not issued the document under point 1, this circumstance shall be declared by the re-exporter together with a declaration that there is no ban, imposed for re-export by the country from which the items are imported.

(4) The export permit shall be presented by the exporter to the respective customs office together with the customs declaration as to the specific customs regime.

(5) The export shall be verified by means of copies of the customs declaration (UAD) for the specific customs regime and the export permit certified by the customs office in which the number and date of the customs declaration shall be written under each separate shipment.

Article. 23. The exporter shall be obliged to include in the foreign trade agreement a provision obliging the buyer and/or the end-user not to make any re-export without the explicit consent of the Interdepartmental Commission.

Article. 24. The applicant shall present to the Interdepartmental Commission a delivery verification certificate or an equivalent document issued by a competent authority in the country of the end-user and confirming the realization of the delivery, not later than 3 months as of the date of its arrival in the country of the end-user.

Section IV Transportation of arms

Article. 25.

(1) The carriers registered under the Commerce Act shall transport arms from and to the territory of the Republic of Bulgaria, as well as from and to the territory of third countries on the grounds of a license issued by the Inter-Ministerial Council. The license shall be issued in two copies as per standard form – Annex No 8, while the first copy shall be provided to the applicant, and second copy shall be kept with the Inter-Ministerial Council.

(2) The carriers under Paragraph 1, applying to obtain license for transportation of arms shall present to the Inter-Ministerial Council the following documents:

1. an application as per standard form approved by the Inter-Ministerial Council;
2. A document of court registration and an original of court certificate of current status of the applicant, issued not earlier than 30 days from the filing of the applications and reflecting all changes of circumstances listed in the Commercial Register;
3. A document by the Ministry of Interior that the applicant may render such transport services;
4. A document by Marine Administration Executive Agency, or Automobile Administration Executive Agency, or by Railway Administration Executive Agency, or by Civil Air-Traffic Administration Central Directorate regarding the fitness of the transport vehicles for performance of this activity;
5. A document issued by the competent authorities that the applicant has established conditions for safeguarding of the classified information representing state secret in the cases when this is necessary under the Law on Protection of the Classified Information;
6. A list of individuals, who shall participate directly in these activities, coordinated with the security authorities, accompanied with a curriculum vitae and job reference, certificate for lack of previous conviction and a sample of the signature;
7. A certificate for lack of previous conviction of the General Manager, the members of a Management or Control body of the commercial company that the individuals have not been convicted of an offense of general nature;
8. A copy of the documents certifying the tax registration and National Statistics Institute registration (BULSTAT code);
9. A certificate issued by the Territorial Tax Directorate, or the Tax Division as per registration of the company as to the absence of liquid and demandable public liabilities or a certificate that the public liabilities are deferred, rescheduled or secured;
10. A certificate from the social security funds of the state social security as to the absence of liquid or demandable liabilities or a certificate that the liabilities have been deferred, rescheduled or secured;
11. A declaration by the General Manager, by the members of a Management or Control body of the commercial company that the company does not have liquid and demandable liabilities to natural persons or legal persons, where the payable has been recognized to the body under enforced execution or where a court decision entered into force has been established, with a document certified by a Notary Public or with a promissory note;
12. A document as to the paid state fee.

Article. 26.

(1) The Inter-Ministerial Council shall decide on the applications filed within 30 days from the date of filing.

(2) Upon finding of incompleteness in the presented documents within 7 days as of the date of filing the documents, the Inter-Ministerial Council shall send notification to the applicant to eliminate the incompleteness, while providing guidance as to their elimination. In this case the term under Paragraph 1 shall stop to run from the date of sending the notification until elimination of the incompleteness.

(3) The decision for granting a license or refusal shall be announced to the applicant within 7 days from the date of taking the decision.

(4) Bulgarian carriers that have obtained a license for transportation of arms and performing transportation of arms between the territories of two separate third countries shall inform the Ministry of Transport and the notifications for the starting and final destination, the route, as well as the points of technical landing/stops within a period of not more than 5 days prior to the commencement of the transportation.

(5) The Ministry of Transport and Communications shall send within 2 days the information received to the Inter-Ministerial Council, the Interdepartmental Commission, the Ministry of Interior and the Ministry of Foreign Affairs.

Article. 27.

(1) The license shall be issued initially for a term of one year and following its expiry each subsequent license shall be issued for a period of 3 years.

(2) The license shall be personal and may not be transferred or re-granted.

(3) The Inter-Ministerial Council shall refuse to issue a license when the documents under Article. 25, Paragraph 2 are not submitted after the provided period for addition of the documents and when the requirements under Article. 25, Paragraph 2, have not been met, which the applicant must certify by means of the presented documents.

(4) The Inter-Ministerial Council shall withdraw the license granted:

1. in case of non-fulfillment or in case of breach of the conditions of the license;
2. when the licensed company has filed incorrect data which has serviced in the issuance of the license;
3. when the licensed company stops meeting the requirements under Article. 25, Paragraph 2.

(5) The Inter-Ministerial Council shall terminate the license:

1. due to expiry of the term
2. upon its deprivation
3. as per request of the licensed company
4. upon termination of the activity of the carrier.

Article. 28. The foreign carriers and the companies using foreign carriers and/or transport vehicles shall present to the Ministry of Transport and Communications a document confirming their right to carry out transportation of arms under their national legislation, a document of registration and a certificate of fitness of the transport vehicles by means of which the transport of arms shall be carried out.

Article. 29. Within 5 days the Inter-Ministerial Council shall inform the Ministry of Transport and Communications, the Ministry of Interior, the Interdepartmental Commission and the Central Customs Office of the Customs Agency as to the licenses issued or renewed.

Section V

Permit for Transit Transportation of Arms

Article. 30. (1) Transit transportation of arms shall be carried out on the grounds of a permit for transit transport for each separate case, issued by the Interdepartmental Commission. The permit shall be issued in 4 copies as per standard form – Annex No 9.

(2) The permit for transit transportation of arms shall specify the customs points, the route and the term for adopting.

(3) For the issuance of the permit for transit transportation, the sender or a person authorized by them shall present to the Interdepartmental Commission the following documents:

1. a filled-in standard application approved by the Interdepartmental Commission;
2. a legalized copy and a certified translation into Bulgarian of the document issued by a competent authority of the country of the exporter, certifying its right to perform the specific deal and the end-user, and a certified translation into Bulgarian of the document;
3. a legalized copy and a certified translation into Bulgarian of the permit for transit transportation, or for acceptance on the territory of the country following the Republic of Bulgarian as per the route of the transit transport issued by its competent authorities.

(4) The documents shall be presented to the Interdepartmental Commission by the sender of the items, or by a person authorized by them, not later than 20 days before the entering of the items on the territory of the Republic of Bulgaria.

(5) The Interdepartmental Commission shall decide on the applications within 10 days as of the date of their filing. The permission, or the refusal shall be announced to the applicant within 5 days after the pronouncement.

(6) The permit shall be valid under the conditions and until expiry of the period specified therein but for not more than 15 days after the date of the entering the items into the entry customs office of the Republic of Bulgaria.

(7) The first copy of the permit shall be provided to the applicant, the second copy shall be sent to the Security National Service with the Ministry of Interior, the third copy shall be sent to the Central Customs Office of Customs Agency and the fourth copy shall be kept with the Interdepartmental Commission.

(8) Within 10 days after the date of certification of the transit transport, the exit customs office shall send to the Interdepartmental Commission the copy of the permit, which has been provided to the applicant.

Chapter Three

FOREIGN TRADE ACTIVITY IN DUAL-USE ITEMS AND TECHNOLOGIES

Section I

General Provisions

Article. 31.

(1) Export of dual-use items and technologies, included in the list under Article. 1, Paragraph 3 of this Law, may be carried out by companies registered under the Commerce Act, that have obtained a license for such activities by the Inter-Ministerial Council.

(2) The scope of the license under Paragraph 1 may be full or limited in respect of the categories and items in accordance with the List of Arms and Dual-Use Items and Technologies and/or in respect of the country – end-user.

Article. 32. The license shall be issued initially for a period of one year following the expiry of which each subsequent license shall be issued for a period of 3 years.

Article. 33.

(1) The export and import of dual-use items and technologies shall be carried out on the grounds of a permit for each deal issued by the Interdepartmental Commission. The import and export permits shall be issued within the scope of the license for a term of 6 months and may be extended only once for a period of up to 6 months, while the term of the permit and its extension may not be longer than the period of the license – in the case of export.

(2) If a deal allowed under the provisions of this Chapter has not been executed in due time, the applicant may request with a well-grounded written request an extension of the term not later than 15 days prior to its expiry, while specifying the part of the unrealized quantities.

Article. 34. To obtain a license for export of dual-use items and technologies and a permit for each deal, fees shall be paid at the amount defined by the Council of Ministers. In case of withdrawal of the license and/or of the permit, the fees paid shall not be subject to reimbursement.

Section II

Export License

Article. 35.

(1) The companies registered under the Commerce Act shall be issued an export license for dual-use items and technologies, when they are reliable and economically stable, and when they have established the necessary organization for with the items and/or technologies specified by them.

(2) The license under Paragraph 1 shall be issued in 2 copies as per standard form – Annex No 10. The first copy shall be provided to the applicant and the second one shall be kept with the Inter-Ministerial Council.

(3) The companies, registered under the Commerce Act, applying for the granting of a license for export shall submit to the Inter-Ministerial Council the following documents:

1. A filled-in application for issuance of a license as per standard form approved by the Inter-Ministerial Council;
2. A document of court registration and an original of court certificate of current status of the applicant, issued not earlier than 30 days from the filing of the application and reflecting all changes of circumstances listed in the Commercial Register;
3. A list of individuals, who shall participate directly in these activities, coordinated with the security authorities, accompanied with a curriculum vitae and job reference, certificate for lack of previous conviction and a sample of the signature;
4. A certificate for lack of previous conviction of the General Manager, the members of a Management or Control body of the trader;
5. A copy of the documents certifying the tax registration and National Statistics Institute registration (BULSTAT code);
6. A certificate issued by the Territorial Tax Directorate or the Tax Division as per registration of the company as to the absence of liquid and demandable public liabilities or a certificate that the public liabilities are deferred, rescheduled or secured;
7. A certificate from the social security funds of the state social security as to the absence of liquid or demandable liabilities or a certificate that the liabilities have been deferred, rescheduled or secured;
8. A declaration by the General Manager, and by the members of a Management or Control body of the commercial company that the company does not have liquid and demandable liabilities to natural persons or legal persons, where the payable has been recognized to the body under enforced execution or where a court decision entered into force has been established, with a document certified by a Notary Public or with a promissory note;
9. A document as to the paid state fee;
10. For nuclear and explosive materials, toxic chemical compounds, pathogenic and toxic biological agents and the equipment related thereto a document shall be required issued by a competent authority specified by the Inter-Ministerial Council depending on the type of the items an/or technologies, that the applicant has established conditions and the required organization for export of the specific type of items and/or technologies in accordance with the requirements of the effective legislation.

Article 36

(1) The Inter-Ministerial Council shall pronounce on the applications within 30 days as of their filing.

(2) Upon finding of incompleteness in the presented documents within 7 days as of the date of filing the documents, the Inter-Ministerial Council shall send notification to the applicant to eliminate the incompleteness while providing guidance as to their elimination. In this case the term under Paragraph 1 shall stop running from the date of sending the notification until elimination of the incompleteness.

(3) The decision as to granting a license or refusal shall be announced to the applicant within 7 days from the date of taking the decision.

Article. 37. The Inter-Ministerial Council shall notify the Ministry of Interior, the Central Customs Office of the Customs Agency and the Interdepartmental Commission within 5 working days about the issued and renewed licenses.

Article. 38. The companies registered under the Commerce Act that obtained a license shall be obliged to inform the Inter-Ministerial Council about any change in the circumstances under which the license has been issued within 14 days after its occurrence and to present the respective document under Article 35, Paragraph 3.

Section III

Permit for foreign trade deal with dual-use items and technologies

Article. 39. (1) A permit for export of dual-use items and technologies shall be issued by the Interdepartmental Commission only to the persons under Article 35, Paragraph 3 holding license for performance of such activities.

(2) The Interdepartmental Commission shall decide on the applications for permit of the foreign trade deal within 20 days after their filing.

(3) Upon finding incompleteness of the submitted documents the Interdepartmental Commission shall send notification to the applicant within 7 days as of the date of filing the application for elimination of the incompleteness while giving guidance as to their elimination. In this case the term under Paragraph 1 shall stop running as of the date of sending the notification until elimination of the incompleteness.

(4) In case of necessity for conducting an inspection on the documents submitted, including an inspection via diplomatic channels, the Interdepartmental Commission may postpone for next meeting the review and decision on the application for issuance of a permit within the deadline set out under Paragraph 2.

(5) The permit or refusal shall be announced to the applicant within 7 days as of the date of taking the decision.

(6) The first copy of the issued permit shall be provided to the applicant, the second one shall be sent to Security National Authority with the Ministry of Interior, the third copy shall be sent to the Central Customs Office of Customs Agency and the fourth copy shall be kept with the Interdepartmental Commission.

Article. 40.

(1) A permit may be used solely by the person to whom it has been issued.

(2) The applicant shall be obliged to inform the Commission in writing within 5 days about all the changes in the conditions under which the deal has been permitted.

(3) Following receipt of a permit for a specific deal, changes in the terms and conditions of the deal may be made following the consent of the Interdepartmental Commission.

(4) The document evidencing the conclusion of a foreign trade deal, shall obligatory include:

8. price;
9. parties on the deal;
10. name of the items;
11. quantity;
12. terms of delivery;

13. term of execution;

14. a provision for non-permission of re-export by the buyer and/or the end-user without the written consent of the Interdepartmental Commission.

Article. 41. If considered so, the Interdepartmental Commission may require from the applicant additional information, which is related to the foreign trade deal.

Article. 42. Following customs clearance of the last shipment with which the allowed quantity under the permit for export or import is exhausted, or following expiry of the term of validity, the applicant shall within 7 days return the original of the permit to the Interdepartmental Commission.

Article. 43. The Interdepartmental Commission shall inform the Ministry of Interior, and the Central Customs Office of the Customs Agency within 5 working days as to the permits issued and extended.

A. Import Permit

Article. 44.

(1) Import of dual-use items and technologies included in the list under Article 1, Paragraph 3 of the Law shall be carried out on the grounds of an import permit.

(2) The import permit shall be issued as per standard form in 4 copies – Annex No 11.

(3) To obtain import permit the applicants shall present to the Interdepartmental Commission the following documents:

1. a filled-in standard form application– Annex No 3;
2. a permit filled-in in 4 copies;
3. A document of court registration and an original of court certificate of current status of the applicant, issued not earlier than 30 days from the filing of the application and reflecting all changes of circumstances listed in the Commercial Register;
4. a copy and a certified translation into Bulgarian of the document verifying the foreign trade deal (an agreement, proforma-invoice, invoice, order, sample document, etc.), as well as all other agreements related to the execution of the deal (for example, with the Bulgarian or the foreign partner – intermediary, forwarding company, transport company, end-user or manufacturer);
5. declaration by the importer and/or declaration by the end-user by means of which it is obliged to inform in writing the Interdepartmental Commission within 5 days prior to each subsequent change of the end-user on the territory of the Republic of Bulgaria;
6. a copy of the documents certifying the tax registration and the National Statistic Institute registration (BULSTAT code);
7. a copy of the license of the intermediary, if there is such on the deal for performance of intermediary activities issued by the Inter-Ministerial Council;
8. a document on the paid state fee.

(4) The import permit shall be presented by the importer in the respective customs office, together with the customs declaration for the specific customs regime.

(5) The import shall be verified by means of copy of the customs declaration certified by the customs authority (UAD) and import permit in which the number and date of the customs manifest and the number and date of the customs declaration shall be written under each separate shipment.

Article. 45.

(1) If the country of the exporter requires from the importer an end use/end-user certificate and/or international import certificate, it shall be issued under the terms and provisions of Article. 17-19, as follows:

1. by the Ministry of Defense – when the items and/or technologies are intended for the needs of the defence forces;
2. by the Ministry of Economy – when the items and/or technologies are intended for production activity of the commercial companies or for the purpose of re-export and sale in the country;
3. by the Ministry of Interior – when the items and/or technologies are intended for the needs of this Ministry.

(2) The end use/end-user certificate shall be issued in standard form – Annex No 12.

Article. 46. If the country of the exporter requires a delivery verification certificate of dual-use items and technologies, the certificate shall be issued under the terms and provisions of Article. 20.

B. Export Permit

Article. 47. The export of dual-use items and technologies shall be made on the grounds of an export permit, issued by the Interdepartmental Commission. The permit shall be issued in 4 copies as per standard form – Annex No 13.

Article. 48. (1) To obtain an export permit, the applicant shall submit to the Interdepartmental Commission the following documents:

1. filled-in application as per standard form – Annex No 3;
2. filled-in permit in 4 copies;
3. a copy of the license for performance of foreign trade activity in dual-use items and technologies;
4. an end-user certificate, and/or international import certificate in original, issued by the competent authorities of the country of the end-user and a certified translation of the certificates into Bulgarian;
5. a copy and a certified translation into Bulgarian of the document, confirming the foreign trade deal (an agreement, proforma-invoice, invoice, order, document of samples, etc.) as well as all other agreements related to the execution of the deal (for example with the Bulgarian or foreign partner – intermediary, forwarder, transport company, end-user or manufacturer);
6. a copy of the license of the intermediary, if there is such under the deal for performance of intermediary activities issued by the Inter-Ministerial Council;
7. a document on the paid state fee.

(2) To obtain a re-export permit apart from the documents required under Paragraph 1, the re-exporter shall present to the Interdepartmental Commission:

1. a re-export permit by the competent authority of the country from which the items are imported;
2. when the competent authority of the country from which the items are imported has not issued the document under point 1, this circumstance shall be declared by the re-exporter together with a declaration, that there is no ban imposed for re-export by the country from which the items are imported.

(3) The export permit shall be presented by the exporter to the respective customs office together with the customs declaration as to the specific customs regime.

(4) The export shall be verified by means of copies of the customs declaration (UAD) for the specific customs regime and the export permit certified by the customs office in which the number and date of the customs declaration shall be written under each separate shipment.

Article. 49. The applicant shall present to the Interdepartmental Commission a delivery verification certificate or an equivalent document, issued by a competent authority in the country of the end-user and confirming the clearance of the items not later than 3 months as of the date of its arrival in the country of the end-user.

Section IV

Permit for Transit Transport

Article. 50. (1) Transit transport through the territory of the Republic of Bulgaria of radioactive, explosive, flammable, oxidizing, corrosive, bacteriological (biological), toxic and pathogenic items included in the list under Article. 1, Paragraph 3 of the Law shall be carried out on the grounds of a permit for transit transport for each separate case, issued by the Interdepartmental Commission.

(2) The permit under Paragraph 1 shall be issued in 4 copies as per standard form – Annex No 14.

(3) The permit for transit transport shall specify the customs points, the route and the term for passing.

(4) For the issuance of the permit for transit transport, the sender or a person authorized by it shall present to the Interdepartmental Commission the following documents:

1. a filled-in standard application approved by the Interdepartmental Commission;
2. a legalized copy of a document issued by a competent authority of the country of the exporter, certifying its right to perform the specific deal and the end-user, and a certified translation into Bulgarian of the document;
3. a legalized copy and a certified translation into Bulgarian of the permit for transit transport or for acceptance on the territory of the country, following the Republic of Bulgarian as per the route of the transit transport issued by its competent authorities.

(5) The documents shall be presented to the Interdepartmental Commission by the sender of the items, or by a person authorized by it, not later than 20 days before the entering of the items on the territory of the Republic of Bulgaria.

(6) The Interdepartmental Commission shall decide on the applications within 10 days from the date of their filing. The permission or the refusal shall be announced to the applicant within 5 days as of the pronouncement.

(7) The first copy of the permit shall be provided to the applicant, the second copy shall be sent to the National Security Service with the Ministry of Interior, the third copy shall be sent to the Central Customs Office of the Customs Agency, and the fourth copy shall be kept with the Interdepartmental Commission.

(8) The permit shall be valid under the conditions and until expiry of the period specified therein, but for not more than 15 days from the date of the entering of the items in the entry customs office of the Republic of Bulgaria.

(9) The exit customs office within 10 working days as of the date of certification of the transit transport shall send to the Interdepartmental Commission the copy of the permit, which has been provided to the applicant.

Chapter Four

INTERMEDIARY ACTIVITIES, RELATED TO FOREIGN TRADE DEALS WITH ARMS OR DUAL-USE ITEMS AND TECHNOLOGIES

Article. 51. (1) Intermediary activities related to foreign trade deals with arms and/or dual-use items and technologies from and to the territory of the Republic of Bulgaria may be carried out by natural persons and legal persons who have obtained license for conducting such activities by the Inter-Ministerial Council.

(2) The Inter-Ministerial Council shall issued license for intermediary activities related to foreign trade deals with arms as per standard form – Annex No 15, and a license for intermediary activities related to foreign trade deals with dual-use items and technologies, as per standard form – Annex No 16.

(3) The license for intermediary activities shall be issued initially for a term of one year, following the expiry of which every subsequent license shall be issued for a term of 3 years.

(4) The license shall be issued in two copies – the first copy of the license shall be provided to the applicant and the second copy shall be kept with the Inter-Ministerial Council.

(5) The scope of the license under Paragraph 1 may be full or limited in respect of the items or categories under the List of Arms and Dual-Use Items and Technologies and/or with respect of the country – end-user or exporter.

Article 52.

(1) To the persons under Article 51 a license shall be issued when they meet the requirements for reliability for the performance of intermediary activities and are economically stable in accordance with the Regulation.

(2) The Bulgarian persons shall be considered reliable for the performance of intermediary activities if:

1. they are capable of performing it;
2. if the natural person or the manager, the members of the management, or the control body of the legal person have not convicted for commitment of an offense of a general nature;
3. there is no data that the natural person, or the manager, or the members of the management, or control body of the legal person, or the natural person (persons) who directly participate in the intermediary activity represent a threat to the national security, the economic or foreign policy interests of the Republic of Bulgaria, the consolidation of international peace and security and the fulfillment of the international obligations of the Republic of Bulgaria.

(3) The Bulgarian persons shall be considered economically stable if:

1. the legal persons are not under liquidation or bankruptcy proceedings;
2. do not have liquid and demandable public liabilities to the Bulgarian state and liabilities to the state social insurance funds.

(4) The foreign persons shall be considered reliable for the performance of intermediary activities if:

1. they have the right to perform such activities under their national legislation;
2. there is no data that the natural person, or the general manager, the members of a management or control body of the legal person, or the natural person (persons) who directly participate in the intermediary activity represent a threat to the national security, the economic or foreign policy interests of the Republic of Bulgaria, the consolidation of international peace and security and the fulfillment of the international obligations of the Republic of Bulgaria.

(5) The foreign persons shall be considered economically stable for the performance of intermediary activities when they do not have liquid and demandable liabilities to natural persons or legal persons, where the payable is recognized to the authority on enforced execution, or when it is established by virtue of court decision, entered into force, with a document certified by a notary public or by means of a promissory note.

(6) The foreign persons shall have the right to authorize Bulgarian persons to represent them under the procedure on issuance of a license by the Inter-Ministerial Council.

Article. 53.

(1) The Bulgarian persons under Article. 51, applying to obtain a license shall present to the Inter-Ministerial Council the following documents:

1. An application as per standard form approved by the Inter-Ministerial Council;
2. A certified copy of the identity document of the natural person, or a document of court registration and an original of court certificate of current status of the applicant, issued not earlier than 30 days from the filing of the applications and reflecting all changes of circumstances listed in the Commercial Register;
3. A list of individuals, who will participate directly in these activities, coordinated with the security authorities, accompanied with a curriculum vitae and job reference, certificate for lack of previous conviction and a sample of the signature;
4. A certificate for lack of previous conviction of the manager, the members of a management or control body of the commercial company, or of the natural person;
5. Copies of the documents certifying the tax registration and National Statistics Institute registration (BULSTAT code);
6. A certificate issued by the Territorial Tax Directorate, or the Tax Division for registration of the trader, as to the absence of liquid and demandable public liabilities or a certificate that the public liabilities are deferred, rescheduled or secured;
7. A certificate from the social security funds of the state social security as to the absence of liquid, or demandable liabilities, or a certificate that the liabilities have been deferred, rescheduled or secured;
8. A document certifying the paid state fee.

(2) The foreign persons under Article 51 applying to obtain license for intermediary activities, shall submit to the Inter-Ministerial Council the following documents:

1. An application as per standard form, approved by the Inter-Ministerial Council;
2. A copy and a certified translation into Bulgarian of the identity document of the natural person;
3. A copy and a certified translation into Bulgarian of a document issued by a competent authority confirming the right of the person to perform this type of activity under its national legislation;
4. A declaration by the manager, the members of management or the control body of the legal person, of the natural person, or of a person authorized by them as to the absence of liquid or demandable liabilities to natural persons or legal persons where the payable is recognized at the enforced execution authority, or when it is established by virtue of a court decision entered into force, or with a promissory note;
5. a document certifying the paid state fee.

Article. 54.

(1) The Interdepartmental Commission shall give an opinion on the applications under Article 53 within 10 days after their submitting to the commission.

(2) The Interdepartmental Commission shall send to the Inter-Ministerial Council its opinion and the filed documents within 3 days after the date of the pronouncement.

(3) The Inter-Ministerial Council shall pronounce on the application under Article. 53 within 30 days as of their submission.

(4) Upon finding of incompleteness in the presented documents within 7 days after the date of filing the documents, the Inter-Ministerial Council shall send notification to the applicant to eliminate the incompleteness, while providing guidance as to their elimination. In this case the deadline under Paragraph 1 shall stop as of the date of sending the notification until elimination of the incompleteness.

(5) The decision for granting a license or refusal shall be announced to the applicant within 7 days from the date of taking the decision.

Article. 55. The Inter-Ministerial Council shall notify the Ministry of Interior, the Central Customs Office of the Customs Agency and the Interdepartmental Commission within 5 working days after the licenses was issued and renewed.

Article. 56. The persons under Article 51 that have obtained a license shall be obliged to inform the Inter-Ministerial Council as to any change in the circumstances under which the license has been issued within 14 days after its occurrence and to present the respective document under Article. 53.

Chapter Five

COMPOSITION AND PROCEDURE OF THE ACTIVITY OF THE INTERDEPARTMENTAL COMMISSION

Section I

General Provisions

Article 57. The Interdepartmental Commission:

1. shall adopt decisions for granting a permit or refusal to grant permit for:
 - a) foreign trade deals with arms and with dual-use items and technologies;
 - b) transit transportation of arms through the territory of the Republic of Bulgaria;
 - c) transit transportation of radioactive, explosive, flammable, oxidizing, corrosive, bacteriologic (biologic), toxic and pathogenic items with potential dual use through the territory of the Republic of Bulgaria, included in the List of arms and of the and technologies;
 - d) foreign trade deals with toxic chemical substances and their precursors, specified in the annexes to the Law on Prohibition of Chemical Arms and on Control of Toxic Chemical Substances and Their Precursors;
2. shall inform the Ministry of Interior, and the Central Customs Office of the Customs Agency as to the permits issued and extended;
3. shall present to the Council of Ministers an annual report on the implementation of the Law not later than 6 months following the expiry of the calendar year covered by the report.
4. shall present to the Council of Ministers a draft of a Decree for the updating of the List of Arms and Dual-use items and technologies;
5. shall coordinate the work and shall control the fulfillment of the Convention on Prohibition of the Development, Production, Accumulation and Use of Chemical Arms and of its destruction and shall perform control and permit functions to the application of the Law on Prohibition of the Chemical Arms and Control on Toxic Chemical Substances and Their Precursors;
6. shall submit to the Council of Ministers proposals for the introduction of limitations and imposing bans on the Dual-use items and technologies under Article 4, Paragraph 1, item 2 of the Law.

Article. 58.

(1) The activity of the Interdepartmental Commission shall be assisted administratively by the Internationally Controlled Trade Directorate under the Ministry of Economy.

(2) The Internationally Controlled Trade Directorate under the Ministry of Economy shall prepare opinions whether certain items fall within the List of Arms and Dual-Use Items and Technologies under Article 1, Paragraph 3 of the Law upon an inquiry by the state authorities, or persons performing foreign trade activities. The opinions under this paragraph shall be signed by the Director of the Internationally Controlled Trade Directorate, or by officials authorized by him/her.

Section II

Composition of the Interdepartmental Commission

Article 59.

(1) The Interdepartmental Commission shall include a chairman and six members and shall be assisted by a secretary and a record keeper;

(2) Chairman of the Interdepartmental Commission shall be the Minister of Economy.

(3) Members of the Interdepartmental Commission shall be:

1. two representatives of the Ministry of Economy;
2. one representative of the Ministry of Interior;
3. one representative of the Ministry of Foreign Affairs;
4. two representatives of the Ministry of Defense.

(4) Secretary of the Interdepartmental Commission shall be an employee of the Ministry of Economy.

(5) Record keeper of the Interdepartmental Commission shall be an employee of the Internationally Controlled Trade Directorate under the Ministry of Economy.

(6) The members of the Interdepartmental Commission, the secretary and the record keeper shall be approved on a name-by-name basis by the Chairman of the Interdepartmental Commission upon a proposal of the respective ministers.

Article 60. The Chairman:

1. shall summon and chair the meetings of the Interdepartmental Commission;
2. shall organize and manage the work of the Interdepartmental Commission.

Article 61. The members of the Interdepartmental Commission:

1. shall participate in the meetings of the commission personally;
2. shall have the right of access to the provided documents and to the record and other materials filed at the Commission.

Article. 62. The secretary of the Interdepartmental Commission:

1. shall organize the preparation for its meetings;
2. shall report and shall present at meetings of the Interdepartmental Commission the documents filed under the agenda;
3. shall monitor the implementation of the decisions of the Interdepartmental Commission;
4. shall organize the document flow related to the activities of the Interdepartmental Commission.

Article 63. The record keeper of the Interdepartmental Commission:

1. shall assist the secretary in the organization of the preparation of the meetings of the Interdepartmental Commission and the documents flow related to the activities of the Interdepartmental Commission;
2. shall inform the members of the Interdepartmental Commission as to the upcoming meeting not later than 5 working days prior to each meeting;
3. shall prepare the record from the meetings of the Interdepartmental Commission;
4. shall monitor the implementation of the decisions of the Interdepartmental Commission.

Section III Procedure of the Activities

Article 64. The meetings of the Interdepartmental Commission shall be closed. If assessed so by the Interdepartmental Commission specialists-experts may be summoned to the meetings, who shall provide opinions on matters on which specialized knowledge is required.

Article. 65.

(1) The Interdepartmental Commission shall be summoned to regular meetings not less than twice per month.

(2) An extraordinary meeting may be summoned by the Chairman of the Interdepartmental Commission upon his/her initiative, upon initiative of at least two of its members or by a decision of the Commission.

Article 66.

(1) The meetings of the Interdepartmental Commission are considered regular in case at least two thirds of its members are present.

(2) The Interdepartmental Commission takes its decisions by a consensus between its members. In case of justified impossibility of a certain member of the Interdepartmental Commission to attend the meeting, the right to vote may be exercised without his/her presence. In this case the vote shall be expressed in writing and shall represent an integral part of the record from the meeting. With an exception, the decisions of the Interdepartmental Commission may be adopted in absence if the record is signed without remarks by its members.

(3) The decisions of the Interdepartmental Commission may be adopted also in absence, upon an initiative of the Chairman of the Interdepartmental Commission, or under a decision of the Commission.

(4) In case of refusal of a permit for a particular deal, the member of the Interdepartmental Commission shall indicate the specific facts and reasons, which justify the refusal.

Article. 67.

(1) The agenda of a meeting of the Interdepartmental Commission shall be put forward by the Chairman and shall be accepted by the Commission.

(2) The materials on the agenda of the meetings shall be provided to the members of the Interdepartmental Commission, or their representatives specified by the respective authorities as per list approved by the Chairman of the Interdepartmental Commission.

(3) The members of the Interdepartmental Commission shall be informed regarding the upcoming meeting at least 5 working days before the meeting.

(4) In the agenda by exception, issues may be included for discussion, apart from decisions for permit of foreign trade deals with arms or with Dual-use items and technologies, which are of urgent nature as the documents on them shall be presented at the meeting.

(5) Upon decision of the Interdepartmental Commission the secretary shall send documents to obtain opinions by other state authorities.

Article. 68.

1) For every deal, the Interdepartmental Commission shall adopt a separate protocol decision. The protocol decision shall contain the requisites under Article 15, Paragraph 2 of the Law on the Administrative Proceedings. The record with the decisions shall be signed by the Chairman, the members, the secretary and the record keeper of the Interdepartmental Commission.

(2) The decisions of the Interdepartmental Commission shall be announced to the interested parties within the deadlines, specified in the Regulation under the order provided for by the Law on the Administrative Proceedings.

Section IV Relations with other state authorities

Article. 69.

(1) While performing its functions the Interdepartmental Commission shall interact with other state authorities by:

1. participating in joint inspections;
2. exchange of information
3. holding of joint meetings.

Section V Procedure of filing of documents

Article. 70. The documents which are to be presented to the Interdepartmental Commission for the granting of a permit for a foreign trade deal with arms and Dual-use items and technologies and for obtaining permit for transit transportation of arms and items with potential dual use shall be accepted, registered and kept by the Internationally Controlled Trade Directorate of the Ministry of Economy, or by the security unit of the Ministry of Economy in separate premises and registers shall be kept.

Article. 71.

(1) Access to the filed documents for the issuance of permits shall have only the members of the Interdepartmental Commission and their representatives, as well as experts from the Internationally Controlled Trade Directorate and the officer from the security unit of the Ministry of Economy, identified under a list approved by the Chairman of the Interdepartmental Commission.

(2) The members of the Interdepartmental Commission, the officers as well as the attracted specialists-experts under Article 64 shall be obliged not to disclose circumstances and facts, which they became aware of during, or in relation of the fulfillment of their duties under the Law, or under the Regulation, except under a written request of a state authority, provided by law.

Article 72.

1) The decisions under Annexes No 2, 7, 9, 11, 13 and 14 or the notification letter as to the refusal for issuance of a permit shall be signed on the grounds of the respective protocol decision under Article 68, Paragraph 1 by the secretary of the Interdepartmental Commission, and in his/her absence – by the record keeper.

(2) Access to information, received also from the respective information systems and by the respective databases related to the foreign trade deals with arms and with Dual-use items and technologies, shall have the persons under Article 71, Paragraph 1.

(3) The administrators servicing the information systems under Paragraph 2 shall be approved by Chairman of the Interdepartmental Commission. The access of the administrators to the information systems and the work on them shall be registered in a respective ledger in the Internationally Controlled Trade Directorate.

Article. 73. The permit shall be handed to the person following presentation of payment documents on the fees paid.

Article. 74. The refusal for issuance of a permit shall be grounded in writing and the documents shall be returned to the applicant. The decision for a refusal together with copies of the documents thereto

shall be kept with the Internationally Controlled Trade Directorate with the Ministry of Economy or by the officer in the security unit with the Ministry of Economy.

Article. 75. The issued permits and the refusals for issuance of a permit shall be sent via the formal channels to the Ministry of Interior and the Central Customs Office of the Customs Agency, and to the applicants notification shall be sent within the deadlines specified under the rules.

Chapter Six

OBLIGATIONS OF THE PERSONS PERFORMING FOREIGN TRADE ACTIVITY IN ARMS AND DUAL-USE ITEMS AND TECHNOLOGIES

Article. 76. The persons performing foreign trade activity in arms and with dual-use items and technologies and the intermediaries shall be obliged to observe the conditions under which this activity has been allowed and shall inform the control authorities as to any change in the circumstances under which their activity has been allowed.

Article. 77.

(1) The persons performing foreign trade activity in arms and with dual-use items and technologies and the Bulgarian persons performing intermediary activities shall be obliged to maintain a register on the deals which are concluded under the law, as per standard form – Annex 17.

(2) Upon request the persons under Paragraph 1 shall be obliged to present the register to the control authorities.

(3) The persons under Paragraph 1 shall keep the trade and transport documents and the information, related to the execution of a foreign trade deal for not less than 10 years.

Article. 78. The persons performing foreign trade activity in arms and with dual-use items and technologies and the intermediaries shall be obliged upon request of the Interdepartmental Commission to present:

1. data regarding the employees responsible for the execution of the deal;
2. description of the item – subject of the foreign trade deal, the license rights, as well as potential limitations for export to third countries related thereto;
3. information on the concluded foreign trade deals and their realization as per permits granted;
4. if assessed by the Interdepartmental Commission, or by another control authority under the law additional information regarding the foreign trade deal may also be requested in accordance with the powers of the authority.

Article. 79. Control on the foreign trade activity in arms and with dual-use items and technologies shall be carried out by the Inter-Ministerial Council, the Interdepartmental Commission, the Ministry of Economy, the Ministry of Interior and by Customs Agency, or by officials authorized by them in accordance with the powers vested therein.

Article. 80. The control authorities if necessary may request the opinion of other state authorities which shall provide the requested opinion within 15 days as of the date of its sending.

Article. 81. The control authorities may exchange information necessary for the performance of control with the competent authorities of other state, international organizations and export control regimes in execution of international agreements. The exchange of information shall be carried out through the *Military-economic cooperation and Internationally Controlled Trade* Directorate of the Ministry of Economy.

Article. 82. The control authorities, the authorized officials as well as the summoned specialists shall be obliged not to disclose the official, production and commercial secret of the controlled persons.

ADDITIONAL PROVISIONS

§ 1. (1) No permit shall be required for import and export under the order provided for in the Regulation upon the receipt and sending of Dual-use items and technologies, upon the execution of undertaken obligations of the Republic of Bulgaria under international conventions, organization and regimes for non-proliferation of mass destruction arms, when the recipient on the import shall be a ministry or an authority responsible for the execution thereto, and recipient in case of export shall be the respective international organization, regime or authority on the execution of a convention for non-proliferation of mass destruction arms.

(2) No license for export of dual-use items and technologies shall be required in the cases of demonstrations, certification, participation in an exhibition, when upon the import of the dual-use items and technologies a customs regime of a temporary import is established for the initial sender within 6 months as of the date of their import.

§ 2. The samples under annexes No 4, 5, 6 and 12 shall be unsealed by the Inter-Ministerial Council while the sample shall be entered in a register.

TRANSITIONAL AND FINAL PROVISIONS

§ 3. (1) The validity of the licenses and permits issued before entering into force of this Regulation, shall continue until its expiry.

(2) The applications filed for issuance of licenses and/or permits filed not later than 5 days prior to the entering into force of these Regulation shall be reviewed and issued under the terms and conditions, provided for by the Regulation on implementation of the Law on Control of the Foreign Trade Activity in Arms and with Dual-Use Items and Technologies adopted by Decree No 38 of the Council of Ministers of 1996.

(3) No licensing shall be required for the intermediaries under agreement for which there are permits already issued.

§ 4. The Regulation shall be adopted on the grounds of § 24 of the transitional and final provisions of the Law Amending the Law on Control of the Foreign Trade Activity in Arms and with Dual-Use Items and Technologies (State Gazette, issue 75 dated 2002.)



THE REPUBLIC OF BULGARIA

COUNCIL OF MINISTERS

**License
for foreign trade activity in arms**

No date

Date of validity of the license:

Issued on:

Scope of the license

In respect of the List of Arms and Dual-Use Items and Technologies
In respect of the country – end-user or exporter

The holder of the license shall be obliged:

To observe the applicable legislative provisions of the Republic of Bulgaria and to perform its foreign trade activities in accordance with the national security, the economic and foreign policy interest of the Republic of Bulgaria as well as for strengthening of the international peace and security and for execution of the international obligations of the Republic of Bulgaria.

In the cases of an imposed embargo on the supplies of arms and/or items with potential dual use for a country of the above mentioned to undertake the steps necessary to stop supplies in accordance with the provisions of the respective agreements.

Chairman of the
Inter-Ministerial Council on the Issues
of the Military Industry Complex and
the Mobilization Preparedness of the Country:

INTERDEPARTMENTAL COMMISSION FOR EXPORT CONTROL AND NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION WITH THE MINISTER OF ECONOMY	Customs regime	Security code:
	Code:	
	Name:	

**PERMIT FOR IMPORT
OF ARMS**

No _____ date _____				
Importer		Exporter		
Name:		Name:		
Address:		Address:		
Tel./fax BULSTAT:		Country: Tel./fax		
Intermediary		End-user		
Name:		Name:		
Address:		Address:		
Country: Tel./fax		Country: Tel./fax:		
Terms of delivery (INCOTERMS):		Document evidencing the deal No		
No	Customs Tariff No	DESCRIPTION OF ITEMS	MEASURE	QUANTITY
1				
2				
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4				
5				
6				
7				
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9				
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Continued in Annex No		Currency code:	TOTAL AMOUNT *:	

INTERDEPARTMENTAL COMMISSION FOR EXPORT CONTROL AND NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION WITH THE MINISTER OF ECONOMY	Validity term:	Extended validity term:
	Until date: _____	Until date: _____
	Signature: Seal	Signature: Seal

*To be filled in if there is no further application

ANNEX NO _____

TO PERMIT No _____ DATE _____

No	Customs Tariff No	DESCRIPTION OF ITEMS	MEASURE	QUANTITY
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40.				
Continued in Annex No		Currency code:	TOTAL AMOUNT *:	

INTERDEPARTMENTAL COMMISSION FOR EXPORT CONTROL AND NON- PROLIFERATION OF WEAPONS OF MASS DESTRUCTION WITH THE MINISTER OF ECONOMY	Validity term:	Extended validity term:
	Until date: _____ Signature: Seal	Until date: _____ Signature: Seal

* Filled-in if there is no next Annex

Incoming No: Date:	Seal APPLICATION	Security code ¹ :
FOR ISSUANCE OF A PERMIT FOR FOREIGN TRADE DEAL WITH ARMS OR WITH DUAL-USE ITEMS AND TECHNOLOGIES		

1.	Type of the permit:	Code ² :	<input type="checkbox"/> import	<input type="checkbox"/> export
2.	Customs regime:	Code:	Name:	
3.	The application is in relation to items from the List of	<input type="checkbox"/>	<input type="checkbox"/>	arms Dual-use items and technologies

4. Applicant

Company name:	Country:	Postal code:
Address:	Fax:	Telephone:
	e-mail:	
License No:	Date of validity of the license:	BULSTAT ³ :
		Tax registration number ³ :

5. Exporter

Company name:	Country:	Postal code:
Address:	Fax:	Telephone:
	e-mail:	
License No:	Date of validity of the license:	BULSTAT ³ :
		Tax registration number ³ :

6. Importer

Company name:	Country:	Postal code:
Address:	Fax:	Telephone:
	e-mail:	
License No:	Date of validity of the license:	BULSTAT ³ :
		Tax registration number ³ :

6. End-user

Company name:	Country:	Postal code:
Address:	Fax:	Telephone:
	e-mail:	
License No:	Date of validity of the license:	BULSTAT ³ :
		Tax registration number ³ :
End use:		

* The application shall be filled in with block letters or on a typewriter

* Do not use abbreviations while filling-in

* Fill in only the spaces, which relate to the specific deal

¹ Under the Law on Protection of the Classified Information

² All codes are in accordance with Ordinance No 11 dated 23 November 1998 on the order for written declaration of items with the customs authorities

³ Relates to Bulgarian natural persons and legal persons

8. Intermediary

Legal person		Natural person	
Company name:		Christian name:	Patronymic name:
BULSTAT:		Family name:	
Tax registration No:		Personal ID No:	No, date of identity document:
License No:		Date of validity of the license:	
Address:		Country:	Postal code:
Telephone:	Fax:	E-mail:	

*If there are other participants in the deal under items 5, 6, please fill in Form A

9. Items

No	Item under the List	Customs Tariff No	Description of items	Measure	Quantity	Unit price
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
Total amount ⁴ :			Currency code ⁴ :	Total amount in BGN ⁴ :		

Continued in Annex No (Form B):

Origin of the items:

Country:

10. Transport

Type of transport:		Code:	
Terms of delivery (INCOTERMS):		Country:	Code:
Transport company – company name:		Country:	Postal code:
Address:		Fax:	Telephone:
		E-mail:	
License No:	Date of validity of the license:	BULSTAT ³ :	Tax registration No ³ :

³ Regarding Bulgarian natural persons and legal persons

⁴ Filled-in if there is no application.

11. Accompanying documents⁵

No	Description of documents	Document No	Date
1			
2			
3			
4			
5			
6			
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14			
15			

By means of this statement I declare that,

- a) the data and information presented by me in this application and the enclosed documents are true and they reflect completely and truly the conditions and parties of the foreign trade deal described in sections 1-12,
- b) the foreign trade agreement or the document, confirming the foreign trade deal for export include a clause ensuring guarantee on behalf of the buyer that the arms purchased will not be transferred to third natural persons and legal persons, except those specified in the agreement and in the end-user certificate, without the written consent of the competent Bulgarian state authority,
- c) the imported arms or Dual-use items and technologies will not be re-exported or transferred to third natural persons or legal persons without the written consent of the competent Bulgarian authority and will be used in observation of the effective Bulgarian legislation,
- d)* I have not been informed by the competent Bulgarian authorities and I have no reason and doubt to believe that the items included in section 10 or in the annexes thereto, following the export will be used by the end-user specified in the application for the development, production, servicing, use, transportation and storage of nuclear, chemical and biological arms or means for their transportation,
- e) I will immediately inform the competent Bulgarian authority as to all changes in the foreign trade contract and the execution of the foreign trade deal under this application,
- f)* I will allow upon request by representatives of the Commission and the competent authorities of the country of the exporter an inspection prior to the permission of the deal and after the delivery of the items under this permit, related to the installation and use of the items and/or technologies in accordance with the conditions of their export

12. General Manager of the company

Christian name:	Signature:	Seal
Patronymic name:		
Family name:		
Position:	Ref. No	Date

⁵ Under Article 16, Paragraph 1, Article. 22, Paragraph 1, Article 44, Paragraph 3, Article. 48, Paragraph 1 as well as the additionally presented documents on the deal

* related to the Dual-use items and technologies

Company name:		Country:	Postal code:
Address:		Fax:	Telephone:
		e-mail:	
License No:	Date of validity of the license:	BULSTAT ³ :	Tax registration number ³ :

Company name:		Country:	Postal code:
Address:		Fax:	Telephone:
		e-mail:	
License No:	Date of validity of the license:	BULSTAT ³ :	Tax registration number ³ :

Company name:		Country:	Postal code:
Address:		Fax:	Telephone:
		e-mail:	
License No:	Date of validity of the license:	BULSTAT ³ :	Tax registration number ³ :

Company name:		Country:	Postal code:
Address:		Fax:	Telephone:
		e-mail:	
License No:	Date of validity of the license:	BULSTAT ³ :	Tax registration number ³ :

Company name:		Country:	Postal code:
Address:		Fax:	Telephone:
		e-mail:	
License No:	Date of validity of the license:	BULSTAT ³ :	Tax registration number ³ :

12. General Manager of the company

Christian name:	Signature:	Seal
Patronymic name:		
Family name:		
Position:	To Ref. No	Date



REPUBLIC OF BULGARIA

END USER CERTIFICATE

EUC A №

1. **IMPORTER** : Name:

Address:

Postal code: City:

Phone/Fax:

2. **EXPORTER** : Name:

Address:

Postal code: City:

Country:

Phone/Fax:

3. **ULTIMATE CONSIGNEE:**

(if different from the importer)

Name:

Address

Postal code

City

Phone/Fax

4. **CONTRACT OR INVOICE**: №:

Date:

5. **DESCRIPTION OF GOODS**

QUANTITY

*continue in Annex № _____

6. **The goods listed in item 5 are required solely for:**

-use by the importer or ultimate consignee /if different from the importer/

-retail use

-re-export

7. **Hereby the importer or the ultimate consignee** / if different from the importer / **agrees:**

- Not to divert, re-export, or transship the goods listed in item 5 to any other person or country without the written permission of the competent Bulgarian authorities;

- Upon request by the competent authorities of the exporter's country to confirm receipt of the goods listed in item 5.

8. **The Ministry of Economy hereby certifies that the goods listed in item 5 are ordered by the importer/ultimate consignee.**

9. **This document has validity of six months from the date of certification by the competent Bulgarian authority.**

Importer or Ultimate consignee (if different from the importer)

_____/_____/_____
A. Date

.....
Name and title

.....
Official signature and seal

Certification by the Bulgarian authority:

_____/_____/_____
Date




.....
Name and title

 REPUBLIC OF BULGARIA	УДОСТОВЕРЕНИЕ ЗА ОСЪЩЕСТВЕНА ДОСТАВКА C. DELIVERY VERIFICATION CERTIFICATE
Вносител/Importer	Износител/Exporter
Име/Name:	Име/Name:
Адрес/Address:	Адрес/Address:
Тел/Факс/ Tel/Fax:	Тел/Факс/ Tel/Fax:
БУЛСТАТ/BG code:	
Краен потребител/Ultimate consignee (if different from the importer)	Българска митница: Bulgarian Customs:
Име/Name:	Вид транспорт: Mode of transport :
Адрес/Address:	Място на експедиция: Place of dispatch :
Тел/Факс/ Tel/Fax:	
Условия на доставка (INCOTERMS): Terms of delivery:	Място на разтоварване : Place of discharge:

№	МТН HS CODE	ОПИСАНИЕ НА СТОКАТА DESCRIPTION OF GOODS	МЯРКА (U/M)	КОЛИЧЕСТВО QUANTITY
2				
3				
4				
5				
ПРОДЪЛЖАВА В ПРИЛОЖЕНИЕ №: CONTINUE IN ANNEX №:			КОД ВАЛУТА: CURRENCY	*ОБЩА СТОЙНОСТ: TOTAL:

Този документ удостоверява, че вносителят на посочените стоки/технологии е предоставил сигурни доказателства за разполагане на стоките в обсега на действие на българската митница в съответствие с действащите закони, постановления и наредби

This document certifies that the importer of the specified goods/ technology presented reliable evidence of delivery and introduction of goods into the Bulgarian customs area in accordance with the laws, regulations and ordinances in force.

Вносител: Importer:	дата: date	Подпис: Signature	Печат 
Краен потребител: Ultimate consignee:			
Българска митница: Bulgarian Customs:			

*Попълва се ако няма приложение/Fill-in if no Annex attached

INTERDEPARTMENTAL COMMISSION FOR EXPORT CONTROL AND NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION WITH THE MINISTER OF ECONOMY	Customs regime	Security code:
	Code:	
	Name:	

**PERMIT FOR EXPORT
OF ARMS**

No _____ date _____				
Exporter		Importer		
Name:		Name:		
Address:		Address:		
Tel./fax BULSTAT:		Country: Tel./fax		
Intermediary		End-user		
Name:		Name:		
Address:		Address:		
Country: Tel./fax		Country: Tel./fax:		
Terms of delivery (INCOTERMS):		Document evidencing the deal No		
Initial exporter (in case of re-export):		Name:	Telephone/fax:	
Address:		Country:		
No	Customs Tariff No.	DESCRIPTION OF ITEMS	MEASURE	QUANTITY
1				
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Continued in Annex No		Currency code:	TOTAL AMOUNT *:	

INTERDEPARTMENTAL COMMISSION FOR EXPORT CONTROL AND NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION WITH THE MINISTER OF ECONOMY	Validity term:	Extended validity term:
	Until date: _____	Until date: _____
	Signature: Seal	Signature: Seal

* To be filled-in if there is no application

ANNEX NO _____

TO PERMIT No _____ DATE _____

No	Customs Tariff No.	DESCRIPTION OF ITEMS	MEASURE	QUANTITY
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Continued in Annex No		Currency code:	TOTAL AMOUNT:	

INTERDEPARTMENTAL COMMISSION FOR EXPORT CONTROL AND NON- PROLIFERATION OF WEAPONS OF MASS DESTRUCTION WITH THE MINISTER OF ECONOMY	Validity term:	Extended validity term:
	Until date: _____ Signature: Seal	Until date: _____ Signature: Seal



THE REPUBLIC OF BULGARIA
COUNCIL OF MINISTERS

**License
for transportation of arms**

No date

Date of validity of the license:

Issued on:

The holder of the license shall be obliged:

To observe the applicable legislative provisions of the Republic of Bulgaria and to perform its foreign trade activities in accordance with the national security, the economic and foreign policy interest of the Republic of Bulgaria as well as for strengthening of the international peace and security and for execution of the international obligations of the Republic of Bulgaria.

In the cases of an imposed embargo on the supplies of arms and/or items with potential dual use for a country of the above mentioned to undertake the steps necessary to stop supplies in accordance with the provisions of the respective agreements.

Chairman of the
Inter-Ministerial Council on the Issues
of the Military Industry Complex and
the Mobilization Preparedness of the Country:

РАЗРЕШЕНИЕ ЗА ТРАНЗИТЕН ПРЕВОЗ TRANSIT LICENSE

D. НА ОРЪЖИЕ

OF ARMS

№: _____ дата / date _____

1. ИЗНОСИТЕЛ / EXPORTER Име/Name: <p style="text-align: center;">Адрес/Address:</p> Държава/Country: Тел/Факс/Tel/Fax	2. ВНОСИТЕЛ / IMPORTER Име/Name: <p style="text-align: center;">Адрес/Address:</p> Държава/Country: Тел/Факс/Tel/Fax
3. ИЗПРАЩАЧ / SHIPPER Име/Name: <p style="text-align: center;">Адрес/Address:</p> Държава/Country: Тел/Факс/Tel/Fax	4. УПЪЛНОМОЩЕН ПРЕДСТАВИТЕЛ / AUTHORIZED REPRESENTATIVE Име/Name: <p style="text-align: center;">Адрес/Address:</p> БУЛСТАТ/ BG code: Тел/Факс/Tel/Fax:
5. ТОВАРИТЕЛНИЦА № / WAY BILL №	6. ЕКСПОРТЕН ЛИЦЕНЗ / EXPORT LICENSE
7. ВИД ТРАНСПОРТ / MODE OF TRANSPORT	8. ТРАНСПОРТНО СРЕДСТВО № / MEANS OF TRANSPORT №

№	КОД ПО МТН HS CODE	ОПИСАНИЕ НА СТОКАТА DESCRIPTION OF GOODS	МЯРКА UNIT	КОЛИЧЕСТВО QUANTITY
1				
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ПРОДЪЛЖАВА В ПРИЛОЖЕНИЕ № / CONTINUE IN ANNEX №

7. МИТНИЧЕСКО УЧРЕЖДЕНИЕ НА ВЛИЗАНЕ CUSTOMS OF ENTRANCE	8. ДАТА / DATE <div style="text-align: right; border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center;">печат</div>
9. МИТНИЧЕСКО УЧРЕЖДЕНИЕ НА ПРЕТОВАРВАНЕ CUSTOMS OF TRANSSHIPMENT	9. ДАТА / DATE <div style="text-align: right; border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center;">печат</div>
11. МИТНИЧЕСКО УЧРЕЖДЕНИЕ НА ИЗЛИЗАНЕ CUSTOMS OF EXIT	12. ДАТА / DATE <div style="text-align: right; border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center;">печат</div>

С това разрешение превозвача се задължава да транспортира изброените по вид и количество стоки през територията на Република България на основание на валиден експорт лиценз(т.6) от държава (т.1) за вносителя (т.2), във вида в който са влезли на територията на Република България.
 The carrier hereby undertake to transport the goods described in the quantities and form above through the territory of the R. Bulgaria on the basis of validated export license (item 6) of country (item 1) for the Importer (item 2) in the form entered into R. Bulgaria.

МЕЖДУВЕДОМСТВЕНА КОМИСИЯ ЗА ЕКСПОРТЕН КОНТРОЛ И НЕРАЗПРОСТРАНЕНИЕ НА ОРЪЖИЯТА ЗА МАСОВО УНИЩОЖЕНИЕ INTERDEPARTMENTAL COMMISSION ON EXPORT CONTROL AND NONPROLIFERATION OF THE WEAPONS OF MASS DESTRUCTION	Подпис: Signature: <div style="text-align: right; border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center;">печат</div> <p style="text-align: right;">Seal</p>
--	---

№	КОД ПО МТН HS CODE	ОПИСАНИЕ НА СТОКАТА DESCRIPTION OF GOODS	МЯРКА UNIT	КОЛИЧЕСТВО QUANTITY
11				
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ПРОДЪЛЖАВА В ПРИЛОЖЕНИЕ № / CONTINUE IN ANNEX №

**МЕЖДУВЕДОМСТВЕНА КОМИСИЯ ЗА ЕКСПОРТЕН КОНТРОЛ И
НЕРАЗПРОСТРАНЕНИЕ НА ОРЪЖИЯТА ЗА МАСОВО
УНИЩОЖЕНИЕ**
*INTERDEPARTMENTAL COMMISSION ON EXPORT CONTROL AND
NONPROLIFERATION OF THE WEAPONS OF MASS DESTRUCTION*

Подпис:
Signature:



Seal



THE REPUBLIC OF BULGARIA
COUNCIL OF MINISTERS

**License
for export of Dual-use items and technologies**

No date

Date of validity of the license:

Issued on:

Scope of the license

In respect of the List of Arms and Dual-Use Items and Technologies
In respect of the country – end-user or exporter

The holder of the license shall be obliged:

To observe the applicable legislative provisions of the Republic of Bulgaria and to perform its foreign trade activities in accordance with the national security, the economic and foreign policy interest of the Republic of Bulgaria, as well as for strengthening of the international peace and security and for execution of the international obligations of the Republic of Bulgaria.

In the cases of an imposed embargo on the supplies of arms and/or items with potential dual use for a country of the above mentioned to undertake the steps necessary to stop supplies in accordance with the provisions of the respective agreements.

Chairman of the
Inter-Ministerial Council on the Issues
of the Military Industry Complex and
the Mobilization Preparedness of the Country:

INTERDEPARTMENTAL COMMISSION FOR EXPORT CONTROL AND NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION WITH THE MINISTER OF ECONOMY	Customs regime Code: Name:	Security code:
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**PERMIT FOR IMPORT
OF DUAL-USE ITEMS AND TECHNOLOGIES**

No _____ date _____	
Importer Name: Address: Tel./fax BULSTAT:	Exporter Name: Address: Country: Tel./fax
Intermediary Name: Address: Country: Tel./fax	End-user Name: Address: Country: Tel./fax
Terms of delivery (INCOTERMS):	Document evidencing the deal No

No	Customs Tariff No	DESCRIPTION OF ITEMS	MEASURE	QUANTITY
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
Continued in Annex No		Currency code:	TOTAL AMOUNT *:	

INTERDEPARTMENTAL COMMISSION FOR EXPORT CONTROL AND NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION WITH THE MINISTER OF ECONOMY	Validity term:	Extended validity term:
	Until date: _____ Signature: Seal	Until date: _____ Signature: Seal

* To be filled-in if there is no Annex

ANNEX NO _____
TO PERMIT No _____ **DATE** _____

No	Customs Tariff No.	DESCRIPTION OF ITEMS	MEASURE	QUANTITY
11.				
12.				
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37.				
38.				
39.				
40.				
Continued in Annex No		Currency code:	TOTAL AMOUNT:	

INTERDEPARTMENTAL COMMISSION FOR EXPORT CONTROL AND NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION WITH THE MINISTER OF ECONOMY	Validity term:	Extended validity term:
	Until date: _____ Signature: Seal	Until date: _____ Signature: Seal



REPUBLIC OF BULGARIA

**END-USE / END USER
CERTIFICATE**

EUC № DU -

1. IMPORTER:

Name:

Address:

Postal code: City:

Phone/Fax:

2. EXPORTER:

Name:

Address:

Postal code: City:

Country:

Phone/Fax:

3. ULTIMATE CONSIGNEE:*(if different from the importer)*

Name:

Address

Postal code

City

Phone/Fax

11. CONTRACT OR INVOICE: №:

Date:

12. DESCRIPTION OF GOODS**QUANTITY**

*continue in Annex № _____

The goods will be used exclusively for the following purpose (s): _____

6. The goods are for our own use at _____
OR _____
(full address of location)* The goods are for sale to civil customer in _____
(Country)

* They will be held in stock against future orders.

7. The above mentioned goods will be not used for any purpose connected with chemical, biological or nuclear weapons or missiles capable of delivering such weapons, nor will they be resold if we know or suspect that they are intended or likely to be used for such purpose

*The goods will be not used for military purposes.

8. Upon request by the by the competent authorities of the exporter's country we undertake to confirm receipt of the goods, listed above.

9. The above mentioned goods shall not be diverted, transferred or re-exported to any other person or country without the written permission of the competent Bulgarian authorities.

*** To be used where appropriate!****10. This document has validity of six months from the date of certification by the competent Bulgarian authority.****Importer or Ultimate consignee** *(if different from the importer)*_____/_____/_____
D. Date.....
Name and title.....
Official signature and seal**Certification by the Bulgarian authority:**_____/_____/_____
Date.....
Name and title
Official signature and seal

INTERDEPARTMENTAL COMMISSION FOR EXPORT CONTROL AND NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION WITH THE MINISTER OF ECONOMY	Customs regime	Security code:
	Code:	
	Name:	

**PERMIT FOR EXPORT
OF DUAL-USE ITEMS AND TECHNOLOGIES**

No _____ date _____	
Importer	Exporter
Name:	Name:
Address:	Address:
Tel./fax BULSTAT:	Country: Tel./fax
Intermediary	End-user
Name:	Name:
Address:	Address:
Country: Tel./fax	Country: Tel./fax:
Terms of delivery (INCOTERMS):	Document evidencing the deal No
Initial exporter (in case of re-export)	Name: _____ Address: _____ Country: _____ Telephone/fax: _____

No	Code under CT	DESCRIPTION OF THE ITEMS	MEASURE	QUANTITY
1				
2				
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4				
5				
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7				
8				
9				
10				
Continued in Annex No _____		Currency code: _____	TOTAL AMOUNT *: _____	

INTERDEPARTMENTAL COMMISSION FOR EXPORT CONTROL AND NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION WITH THE MINISTER OF ECONOMY	Validity term:	Extended validity term:
	Until date: _____	Until date: _____
	Signature: _____ Seal _____	Signature: _____ Seal _____

* To be filled-in if there is no application

No	Customs Tariff No	DESCRIPTION OF THE ITEMS	MEASURE	QUANTITY
11.				
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37.				
38.				
39.				
40.				
Continued in Annex No		Currency code:	TOTAL AMOUNT:	

INTERDEPARTMENTAL COMMISSION FOR EXPORT CONTROL AND NON- PROLIFERATION OF WEAPONS OF MASS DESTRUCTION WITH THE MINISTER OF ECONOMY	Validity term:	Extended validity term:
	Until date: _____ Signature: Seal	Until date: _____ Signature: Seal

РАЗРЕШЕНИЕ ЗА ТРАНЗИТЕН ПРЕВОЗ
TRANSIT LICENSE




Е. НА СТОКИ И ТЕХНОЛОГИИ С ВЪЗМОЖНА ДВОЙНА УПОТРЕБА
OF DUAL-USE GOODS AND TECHNOLOGIES

№: _____ дата / date _____

1. ИЗНОСИТЕЛ / EXPORTER		2. ВНОСИТЕЛ / IMPORTER	
Име/Name: Адрес/Address: Държава/Country: Тел/Факс/Tel/Fax		Име/Name: Адрес/Address: Държава/Country: Тел/Факс/Tel/Fax	
3. ИЗПРАЩАЧ / SHIPPER		4. УПЪЛНОМОЩЕН ПРЕДСТАВИТЕЛ / AUTHORIZED REPRESENTATIVE	
Име/Name: Адрес/Address: Държава/Country: Тел/Факс/Tel/Fax		Име/Name: Адрес/Address: БУЛСТАТ/ BG code: Тел/Факс/Tel/Fax:	
5. ТОВАРИТЕЛНИЦА № / WAY BILL №		6. ЕКСПОРТЕН ЛИЦЕНЗ / EXPORT LICENSE	
7. ВИД ТРАНСПОРТ / MODE OF TRANSPORT		8. ТРАНСПОРТНО СРЕДСТВО № / MEANS OF TRANSPORT №	

№	КОД ПО МТН HS CODE	ОПИСАНИЕ НА СТОКАТА DESCRIPTION OF GOODS	МЯРКА UNIT	КОЛИЧЕСТВО QUANTITY
1				
2				
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ПРОДЪЛЖАВА В ПРИЛОЖЕНИЕ № / CONTINUE IN ANNEX №

7. МИТНИЧЕСКО УЧРЕЖДЕНИЕ НА ВЛИЗАНЕ CUSTOMS OF ENTRANCE	8. ДАТА / DATE	
9. МИТНИЧЕСКО УЧРЕЖДЕНИЕ НА ПРЕТОВАРВАНЕ CUSTOMS OF TRANSSHIPMENT	10. ДАТА / DATE	
11. МИТНИЧЕСКО УЧРЕЖДЕНИЕ НА ИЗЛИЗАНЕ CUSTOMS OF EXIT	12. ДАТА / DATE	

С това разрешение превозвача се задължава да транспортира изброените по вид и количество стоки през територията на Република България на основание на валиден експорт лиценз(т.6) от държава (т.1) за вносителя (т.2), във вида в който са влезли на територията на Република България.
The carrier hereby undertake to transport the goods described in the quantities and form above through the territory of the R. Bulgaria on the basis of validated export license (item 6) of country (item 1) for the Importer (item 2) in the form entered into R. Bulgaria.

МЕЖДУВЕДОМСТВЕНА КОМИСИЯ ЗА ЕКСПОРТЕН КОНТРОЛ И НЕРАЗПРОСТРАНЕНИЕ НА ОРЪЖИЯТА ЗА МАСОВО УНИЩОЖЕНИЕ INTERDEPARTMENTAL COMMISSION ON EXPORT CONTROL AND NONPROLIFERATION OF THE WEAPONS OF MASS DESTRUCTION	Подпис: Signature:	 Seal
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№	КОД ПО МТН HS CODE	ОПИСАНИЕ НА СТОКАТА DESCRIPTION OF GOODS	МЯРКА UNIT	КОЛИЧЕСТВО QUANTITY
51				
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ПРОДЪЛЖАВА В ПРИЛОЖЕНИЕ № / CONTINUE IN ANNEX №

**МЕЖДУВЕДОМСТВЕНА КОМИСИЯ ЗА ЕКСПОРТЕН КОНТРОЛ И
НЕРАЗПРОСТРАНЕНИЕ НА ОРЪЖИЯТА ЗА МАСОВО
УНИЩОЖЕНИЕ**
*INTERDEPARTMENTAL COMMISSION ON EXPORT CONTROL AND
NONPROLIFERATION OF THE WEAPONS OF MASS DESTRUCTION*

Подпис:
Signature:



Seal



THE REPUBLIC OF BULGARIA
COUNCIL OF MINISTERS

License
for intermediary activities related to foreign trade deals with arms from and to the territory of the
Republic of Bulgaria

No date

Date of validity of the license:

Issued on:

Scope of the license

In respect of the List of Arms and Dual-Use Items and Technologies
In respect of the country – end-user or exporter

The holder of the license shall be obliged:

To observe the applicable legislative provisions of the Republic of Bulgaria and to perform its foreign trade activities in accordance with the national security, the economic and foreign policy interest of the Republic of Bulgaria as well as for strengthening of the international peace and security and for execution of the international obligations of the Republic of Bulgaria.

In the cases of an imposed embargo on the supplies of arms and/or items with potential dual use for a country of the above mentioned to undertake the steps necessary to stop supplies in accordance with the provisions of the respective agreements.

Chairman of the
Inter-Ministerial Council on the Issues
of the Military Industry Complex and
the Mobilization Preparedness of the Country:



THE REPUBLIC OF BULGARIA
COUNCIL OF MINISTERS

License
for intermediary activities related to foreign trade deals with Dual-use items and technologies from and to the territory of the Republic of Bulgaria

No date

Date of validity of the license:

Issued on:

Scope of the license

In respect of the List of Arms and Dual-Use Items and Technologies
In respect of the country – end-user or exporter

The holder of the license shall be obliged:

To observe the applicable legislative provisions of the Republic of Bulgaria and to perform its foreign trade activities in accordance with the national security, the economic and foreign policy interest of the Republic of Bulgaria as well as for strengthening of the international peace and security and for execution of the international obligations of the Republic of Bulgaria.

In the cases of an imposed embargo on the supplies of arms and/or items with potential dual use for a country of the above mentioned to undertake the steps necessary to stop supplies in accordance with the provisions of the respective agreements.

Chairman of the
Inter-Ministerial Council on the Issues
of the Military Industry Complex and
the Mobilization Preparedness of the Country:

Register of deals with arms

EXPORT										
Permit No	IIC No	Name of the arms	Quantity	Measure	Item under LADUIT*	Item under		Country – end-user	Country of origin (if not the exporter)	Intermediary
						document of OSCE	UN register			

IMPORT										
Permit No	EU C No	Name of the arms	Quantity	Measure	Item under LADUIT*	Item under		Country – exporter	Country of origin (if not the exporter)	Intermediary
						document of OSCE	UN register			

* List of Arms and Dual-Use Items and Technologies

Item under the Document of OSCE on the small arms and light arms		Item under the UN Register of conventional arms	
1	Revolvers	1	Tanks
2	Self loading pistols	2	Armored battle vehicles
3	Guns and carbine	3	Large caliber artillery systems
4	Machine-gun pistols	4	Battle air-crafts
5	Automatic and light machine-guns	5	Battle helicopters
6	Heavy machine-guns	6	Battle ships
7	Sub-barrel grenade thrower	7	Missiles and missile launching mounts
8	Portable air-defense cannons		
9	Portable anti-tank cannons		
10	None recoil arms		
11	Portable launching mounts for anti-tank missiles and missile systems		
12	Portable launching mounts for air-defense missile systems		
13	Mine throwers with caliber of less than 100 mm		

Register of deals with items or technologies with potential dual use

EXPORT								
Permit No	IIC No	Name of the items or technologies with dual use	Quantity	Measure	Item under LADUIT*	Country – end-user	Country of origin (if not the exporter)	Intermediary

IMPORT									
Permit No	EUC No	Name of the items or technologies with dual use	Quantity	Measure	Item under LADUIT*	Country – exporter	Country of origin (if not the exporter)	Intermediary	End-user

* List of Arms and Dual-Use Items and Technologies