

# Direct Citizen Participation in State and Local Government Act

Promulgated, SG No. 44/12.06.2009, amended and supplemented, SG No. 100/21.12.2010, effective 21.12.2010, amended, SG No. 9/28.01.2011, amended and supplemented, SG No. 42/5.06.2012, amended, SG No. 20/28.02.2013, SG No. 66/26.07.2013, effective 26.07.2013, amended and supplemented, SG No. 19/5.03.2014, effective 5.03.2014, amended, SG No. 98/28.11.2014, effective 28.11.2014, amended and supplemented, SG No. 56/24.07.2015, effective 24.07.2015, amended, SG No. 17/26.02.2019, SG No. 94/29.11.2019, effective 29.11.2019, SG No. 88/13.10.2020

Text in Bulgarian: Закон за пряко участие на гражданите в държавната власт и местното самоуправление

## Chapter One GENERAL PROVISIONS

### Subject

**Article 1.** (1) (Previous text of Article 1 - SG No. 42/2012) This Act lays down the conditions, organisational arrangements and procedure for direct participation of citizens of the Republic of Bulgaria in performing the tasks of state and local government.

(2) (New, SG No. 42/2012) This Act also lays down the measures implementing Regulation (EU) No. 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative (OJ, L 65/1 of 11 March 2011), hereinafter referred to as "Regulation (EU) No. 211/2011".

### Principles of direct participation

**Article 2.** The principles of direct citizen participation in the process of governing shall be:

1. free expression of will;
2. universal, equal and direct participation by secret ballot;
3. equal access to information in respect of the question put forward;
4. equal conditions to present the different opinions involved.

### Forms of direct participation

**Article 3.** (1) Direct participation shall be effected by:

1. referendum;
2. civil initiative;
3. (New, SG No. 42/2012) European citizens' initiative within the meaning of Article 2(1) of Regulation (EU) No. 211/2011;
4. (Renumbered from Item 3, SG No. 42/2012) general populace meeting.

(2) A referendum may be held at a national and local level.

(3) (Supplemented, SG No. 42/2012) A civil initiative may be held at a national, European and local level, and a general populace meeting may be held at a local level.

### Right to vote

**Article 4.** (1) Those entitled to vote in a national referendum shall be citizens of the Republic of Bulgaria who are eligible voters with a permanent address within the territory of Bulgaria, as established on the date when the referendum is scheduled.

(2) Those entitled to vote in a local referendum and general populace meeting shall be citizens of the Republic of Bulgaria who are eligible voters with a permanent address, or a current address where different from the permanent one, within the territory of the relevant municipality, district, sub-municipal unit, town/city/village or residential area for the last 6 months before the referendum is scheduled.

#### Funding

**Article 5.** (1) Funds for holding a national referendum shall be paid out of the state budget, and those for holding a local referendum shall be paid out of the relevant municipal budget.

(2) Any civil initiative, in its part pertinent to organising a petition, shall be funded by citizens and legal persons.

(3) All documents under this Act shall be exempt from state and local charges.

#### Court control

**Article 6.** (1) Disputes regarding the constitutionality of any decision of the National Assembly to hold a national referendum shall be resolved by the Constitutional Court prior to scheduling the referendum date.

(2) The Supreme Administrative Court shall be the institution to resolve disputes regarding the legality of any national referendum results. Disputes with respect to the legality of a local referendum and its results shall be resolved by the relevant administrative court.

## **Chapter Two**

### **REFERENDUM**

#### **Section I**

#### **Holding a referendum**

#### Commissions

**Article 7.** (1) (Amended, SG No. 9/2011, amended and supplemented, SG No. 56/2015, effective 24.07.2015) The Central Electoral Commission shall perform the functions of a Central National Referendum Commission. Constituency electoral commissions responsible for holding parliamentary elections shall perform functions related to the organisation of national referenda within the territory of constituencies. In the case of simultaneous conduct of a national referendum and general elections of municipal councillors and mayors, the municipal electoral commissions shall carry out the functions of organization of the national referendum on the territories of the municipalities.

(2) (Amended, SG No. 9/2011) The Central Election Commission shall perform the functions of a Central Local Referendum Commission. Municipal electoral commissions responsible for holding elections of municipal councillors and mayors shall perform functions related to the organisation of local referenda within the territory of municipalities.

(3) (Supplemented, SG No. 56/2015, effective 24.07.2015) The constituency or municipal electoral commissions, respectively, shall appoint district electoral commissions comprising a chairperson, a secretary and up to 5 members, and shall support and supervise their activities. The Central Electoral Commission shall appoint the district electoral commissions abroad.

(4) Mayors of municipalities shall determine the scope and reference numbers of the polling stations and shall propose the members of district electoral commissions, upon consulting the initiative committee and representatives of the parliamentary parties and coalitions. Mayors shall communicate the resulting details to the relevant constituency or municipal electoral

commission.

Electoral rolls

**Article 8.** (1) (Amended, SG No. 9/2011) Holding any national or local referendum shall be based on updated rolls for the elections of National Representatives, respectively, of municipal councillors and mayors.

(2) (Amended, SG No. 9/2011) The respective requirements of the Election Code shall apply in respect of drawing up, amending and disclosing electoral rolls.

## **Section II**

### **National referendum**

Subject

**Article 9.** (1) (Amended, SG No. 56/2015, effective 24.07.2015) A national referendum shall be held for the purpose of direct citizen voting on issues of national importance which fall within the competence of the National Assembly.

(2) The following shall not be subject to a national referendum:

1. (repealed, SG No. 88/2020);
2. issues referred to in Article 84(4), (6), (7), (8), (10), (12), (16) and (17); Articles 91 and 91a; Article 103(2); Article 130(3); Article 132a and Article 147(1) of the Constitution;
3. issues pertaining to the amount of taxes, charges and labour as well as public insurance payments and contributions;
4. issues related to the state budget;
5. issues pertaining to the rules of internal procedure and operation of the National Assembly.

(3) Codes and legislative acts which comprehensively regulate the subject matter in a given field shall not be subject to a referendum in their entirety.

(4) Issues which are regulated in international agreements concluded by the Republic of Bulgaria may be subject to a referendum prior to their ratification.

(5) When holding a national referendum, one or several questions may be voted on.

(6) Any decision adopted by national referendum shall not be subject to a subsequent approval by the National Assembly. The National Assembly shall adopt an act, where necessary for the purpose of enforcing the decision.

(7) If, within 3 months following the announcement of referendum results, the National Assembly fails to render any act of the National Assembly compliant with the will expressed by voters, the said act shall not apply in the part which contradicts the referendum decision.

Proposals to hold a national referendum

**Article 10.** (1) Proposals addressed to the National Assembly to hold a national referendum may be made by:

1. no less than one-fifth of the members of parliament;
2. the President of the Republic of Bulgaria;
3. the Council of Ministers;
4. no less than one-fifth of the municipal councils in Bulgaria;
5. an initiative committee of citizens eligible to vote which has collected a minimum of 200,000 signatures of citizens who are eligible to vote.

(2) (Amended, SG No. 56/2015, effective 24.07.2015) The National Assembly shall adopt a decision to hold a national referendum, where requested by an initiative committee based on a petition which contains a minimum of 400,000 signatures of Bulgarian citizens eligible to vote

and which does not run counter to the provisions referred to in Article 9(2), (3) and (4).

(3) The President of the National Assembly shall organise the creating and keeping of a public register wherein national referendum proposals and initiative committees under Paragraph 1(5), Paragraph 2, and Article 11(2) shall be recorded.

(4) Any proposal to hold a national referendum shall include one or several questions, to be answered by citizens with "Yes" or "No". The questions shall be written in brief, precise and clear Bulgarian language as generally used.

Proposals to hold a national referendum put forward by municipal councils

**Article 11.** (1) Any proposal to hold a national referendum under Article 10, Paragraph 1, Item 4 shall be organised by a decision of municipal councils which contains a rationale of the need to hold a national referendum and formulates the question put forward for voting.

(2) The initiative committee shall comprise 5 to 15 members appointed by the relevant municipal councils.

(3) The initiative committee shall organise and coordinate the petition by:

1. forwarding copies of the decision of the municipal councils under Paragraph 1 to the other municipal councils;

2. collecting documents needed to present the petition to the National Assembly;

3. notifying the President of the National Assembly in writing;

4. submitting the petition to the National Assembly.

(4) Any proposal tabled by the municipal councils shall contain:

1. the question to be voted on and details about the members of the initiative committee, including each member's full name, position, contact address and signature;

2. proposal motives;

3. certified copies of the decision of the municipal councils;

(5) Upon the initiative committee's proposal, the activities related to the organisation and collection of the petition signatures shall be funded with resources from the budget of the municipal councils under Paragraph 1, as well as the budgets of those municipal councils which adopted a decision to hold a national referendum.

Proposals to hold a national referendum put forward by citizens

**Article 12.** (1) Any national referendum under Article 10, Paragraph 1, Item 5 shall be organised by a petition of a citizen initiative committee comprising 5 to 15 members.

(2) The initiative committee referred to in Paragraph 1 shall organise and coordinate the petition by:

1. preparing the forms whereon signatures are to be collected;

2. determining accessible locations for signature collection, upon coordination with the mayor of the relevant municipality;

3. notifying the President of the National Assembly, in writing, of the commencement of a referendum petition, as well as the question put forward for referendum voting;

4. arranging the complete set of necessary documents and submitting the petition to the National Assembly.

(3) The signature collection form shall contain, on each page, the proposition together with the referendum question or questions. Each form shall have a sequential reference number.

(4) Citizens who want to support the proposal shall write the following on the form:

1. full name;

2. personal identification number (PIN);

3. permanent address;

4. signature.

(5) A separate line of the form shall affirm that personal data will be used solely for the purposes of the referendum. The "Notes" section of the form shall also be filled out with the caregiver's details, in the cases where the person concerned has a physical or visual disability and needs assistance in order to express their will.

(6) Each citizen may sign any petition organised as per the procedure stipulated in this Act only once; signing the petition may take place at a location different than what is specified as the person's permanent address.

(7) The petition of the citizen initiative committee shall contain:

1. the proposal to hold a referendum with a formulation of the question to be voted on; the full name, PIN, permanent address and signatures of the initiative committee members, as well as the initiative committee's contact address;

2. the proposal motives;

3. the forms with citizens' signatures collected;

(8) If the petition is not submitted to the National Assembly within three months upon the notification under Paragraph 2(3), the procedure for presenting the referendum proposal shall be terminated by the President of the National Assembly. The termination shall be recorded in the register referred to in Article 10(3).

(9) A new petition with a proposal to hold a referendum on the same question may be commenced no earlier than 6 months upon termination of the procedure referred to in Paragraph 8, or one year after the National Assembly's decision to reject the proposal.

Presenting and discussing the petition in the National Assembly

**Article 13.** (1) (Supplemented, SG No. 19/2014, effective 5.03.2014) Petitions shall be presented to the National Assembly by the initiative committee, together with the documents referred to in Article 11(4) or Article 12(7), and shall be recorded in the register under Article 10(3). The signed petition shall also be submitted in the form of a structured electronic image, containing the particulars of the citizens who have affixed a manual signature, in the order in which they have been entered in the signed petition.

(2) (New, SG No. 100/2010, effective 21.12.2010, amended, SG No. 66/2013, effective 26.07.2013, supplemented, SG No. 19/2014, effective 5.03.2014, amended, SG No. 98/2014, effective 28.11.2014, SG No. 56/2015, effective 24.07.2015) The President of the National Assembly shall send the petition in the form of a structured electronic image to the "Civil Registration and Administrative Services" Directorate of the Ministry of Regional Development and Public Works, which shall carry out a routine check not later than 45 days after the receipt of the petition. Upon ascertaining that the number of signatures required under Article 10, Paragraph 1, Item 5 or Paragraph 2, has been reached, the check shall be finalised and a report shall be prepared and sent to the President of the National Assembly.

(3) (Renumbered from Paragraph 2, SG No. 100/2010, effective as of 21.12.2010) The National Assembly shall discuss the petition provided that the petition meets the requirements under Articles 10, 11 or 12.

(4) (Renumbered from Paragraph 3, SG No. 100/2010, effective 21.12.2010, supplemented, SG No. 56/2015, effective 24.07.2015) Upon ascertaining any irregularities in the petition, including upon ascertaining any inconformities of the petition with the requirements of Article 10, Paragraph 1, Item 5 or Paragraph 2, the President of the National Assembly shall notify the initiative committee and set a one-month period for irregularities to be rectified.

(5) (Renumbered from Paragraph 4, SG No. 100/2010, effective as of 21.12.2010) The standing commissions shall discuss the proposal under Paragraph 1 no later than one month after its assignment and shall submit their relevant opinions to the President of the National Assembly.

The leading commission shall present a draft decision to the National Assembly.

(6) (Renumbered from Paragraph 5, SG No. 100/2010, effective as of 21.12.2010) The National Assembly shall be entitled to making revisions to the question/questions contained in the proposal, but without altering their meaning or sequential order.

(7) (Renumbered from Paragraph 6, SG No. 100/2010, effective as of 21.12.2010) The draft decision shall either approve the proposal to hold a referendum with the question/questions to be voted on, or reject the proposal, providing rationale for the rejection.

(8) (Renumbered from Paragraph 7, amended, SG No. 100/2010, effective as of 21.12.2010) The National Assembly shall adopt a decision in respect of the referendum proposal at one voting session, within three months following the submission of the proposal under Paragraphs 1 or 4.

#### Scheduling a voting date

**Article 14.** (1) Within one month following the promulgation of the National Assembly's decision to hold a referendum, the President of the Republic of Bulgaria shall schedule the referendum date, which shall not be earlier than two months and later than three months from the promulgation date of the National Assembly's decision.

(2) (New, SG No. 56/2015, effective 24.07.2015) The time limits under Paragraph 1 shall not be applied, in the cases when, within a 1-year time period from the date of promulgation of the decision of the National Assembly, elections are held, with the exception of partial and new elections for municipal councilors and mayors. In such a case, the national referendum and the elections shall be held on the same date.

(2) (Renumbered from Paragraph 2, amended, SG No. 56/2015, effective 24.07.2015) The President shall schedule the referendum date for a non-business day.

#### Referendum-related Powers of the Council of Ministers

**Article 15.** (1) The organisational and technical preparation of a national referendum shall be carried out by the Council of Ministers.

(2) The Council of Ministers shall organise the issuance of a referendum data sheet containing:

1. the formulation of the question;
2. brief information about the referendum motives, based on the proposal for the referendum;
3. information about the time, place, and procedure for holding the referendum.

#### Information and explanatory campaign

**Article 16.** (1) (Amended, SG No. 9/2011) The Election Code shall apply in respect of the information and explanatory campaign, where equal opportunities shall be guaranteed for the different opinions on the referendum subject to be presented.

(2) (New, SG No. 56/2015, effective 24.07.2015) Political parties, coalitions and initiative committees may get registered in support of the question or questions of the referendum or against thereof. In the case of simultaneous conduct of a national referendum and elections, the parties and coalitions registered with the Central Electoral Commission for participation in the elections may use their registration for the information and explanatory campaign for holding the national referendum;

(3) (New, SG No. 56/2015, effective 24.07.2015) The parties, coalitions and initiative committees under Paragraph 2, which are not entitled to a state subsidy under the Political Parties Act, shall be entitled to receive funds for media representation packages in the amount of BGN 40,000, which shall be provided and spent according to the procedure laid down in Article 178 of the Elections Code.

(4) (Renumbered from Paragraph 2, SG No. 56/2015, effective 24.07.2015) Any citizen shall be entitled to receive information about the different positions on the referendum question/questions. Municipalities shall gratuitously provide the initiative committee, as well as the upholders of the alternative position, with appropriate premises, in order to hold consultations and other activities relating to the referendum question/questions.

(5) (Renumbered from Paragraph 3, SG No. 56/2015, effective 24.07.2015) The information and explanatory campaign shall commence 30 days prior to the referendum date and finish 24 hours prior to the referendum.

#### Referendum ballot papers

**Article 17.** (1) The referendum ballot papers shall be white.

(2) each referendum ballot paper shall contain:

1. "National Referendum" inscription;
2. the question/questions to be answered by voters, which face two horizontally positioned boxes containing the "Yes" and "No" answers.

(3) The "Yes" and "No" options shall be written in the same uppercase font.

(4) Where the referendum is held with more than one question, all questions shall be written in the general ballot paper, following the same sequential order as in the National Assembly's decision. The questions shall be separated from each other by a line of space and a bold black horizontal line, with the "Yes"/"No" boxes facing each answer horizontally.

#### Voting

**Article 18.** (1) (Amended, SG No. 9/2011) Each voter shall vote by crossing out the chosen answer ("Yes"/"No") in the referendum ballot paper; placing the paper in an envelope; leaving the ballot booth; and putting the envelope in ballot-box.

(2) Where the referendum is held with more than one question, voters shall not be obliged to answer all questions.

#### Referendum ballot paper invalidity

**Article 19.** (1) The referendum ballot paper shall be invalid where:

1. (amended, SG No. 42/2012) the paper is found in the ballot-box without an envelope;
2. the paper does not follow the template;
3. the paper is entirely crossed out;
4. no answer is crossed out, or both answers of one question are crossed out.

(2) Smudges, as well as mechanical or other damage, shall not render a ballot paper invalid, provided that the voter's will may be unequivocally ascertained.

#### Result reporting by district electoral commissions

**Article 20.** (1) After the voting process is completed, district electoral commissions shall render an account of the results and draw up a statement specifying:

1. the district name;
2. the polling station reference number;
3. the voting commencement and closing times;
4. the number of voters on the electoral roll;
5. the number of voters who have voted, according to the signatures affixed to the electoral roll;
6. (amended, SG No. 42/2012) the number of voters who have voted, based on the envelopes found in the ballot-box;
7. the number of valid ballot papers wherein the "Yes" answer is crossed out;
8. the number of valid ballot papers wherein the "No" answer is crossed out;
9. the number of invalid ballot papers and empty envelopes;

10. any petitions and complaints submitted and relevant decisions taken.

(2) Where voters have voted on more than one question, the number of valid ballot papers under Paragraph 1(7) and (8) shall be reported for each question.

(3) The statement shall be drawn up in three copies, two of which shall be sent to the constituency electoral commission. The third copy shall be sent to the municipal administration with all materials enclosed.

(4) The district electoral commission shall report the ballot results to the constituency commission within 24 hours upon closing time.

Reporting results by constituency commissions

**Article 21.** (1) Based on the statements of the district electoral commissions, the constituency commission shall summarise the data about the relevant constituency and reflect them in a statement specifying the constituency name and:

1. the number of district electoral commissions;
2. the number of district electoral commissions which have submitted statements;
3. the number of voters in the municipality (constituency) according to the electoral rolls;
4. the number of voters who have voted according to the signatures affixed to the electoral roll;

5. (amended, SG No. 42/2012) the number of voters who have voted, based on the envelopes found in the ballot-box;

6. the total number of valid ballot papers;

7. the number of valid ballot papers wherein the "Yes" answer is crossed out;

8. the number of valid ballot papers wherein the "No" answer is crossed out;

9. the number of invalid ballot papers and empty envelopes;

10. the number of requests, objections and claims submitted and relevant decisions taken.

(2) Where voters have voted on more than one question, the number of valid ballot papers under Paragraph 1(7) and (8) shall be reported for each question.

(3) The statement shall be drawn up in two copies, one of which shall be sent to the Central National Referendum Commission. The second copy shall be retained by the constituency commission.

(4) The constituency commission shall report the ballot results to the Central National Referendum Commission within 48 hours upon submission of the last district electoral commission statement.

Reporting and announcing referendum results

**Article 22.** (Amended, SG No. 56/2015, effective 24.07.2015) The Central National Referendum Commission shall summarise the data and announce the ballot results within 5 days upon closing time of the referendum voting.

Acceptance or rejection of the referendum proposition

**Article 23.** (1) The referendum proposition shall be considered accepted if the number of referendum voters is not lower than the number of voters who participated in the latest National Assembly elections and if the "Yes" voters constitute more than half of the referendum participants.

(2) If the referendum proposition is not accepted, a national referendum on the same question may be initiated no earlier than two years following the referendum date.

(3) Where the number of referendum voters is lower than the number of voters who participated in the latest National Assembly elections but constitutes more than 20 per cent of citizens who are eligible to vote, and if the "Yes" voters are more than half of the referendum participants, the referendum proposition shall be presented to the National Assembly and



considered as per the procedure of Article 52.

Contesting referendum results

**Article 24.** The legality of national referendum results may be contested by persons under Article 10(1) and (2) within 7 days following the result announcement by the Central National Referendum Commission. The contesting shall take place before a three-member panel of the Supreme Administrative Court, which shall pass a decision within 14 days. The decision of the three-member panel shall be contestable before a five-member panel of the Supreme Administrative Court, which shall pass a decision within 14 days.

Promulgation of the decision adopted by a national referendum

**Article 25.** (1) The decision adopted by a national referendum shall be promulgated in the State Gazette by the President of the National Assembly within three days following receipt of the decision from the Central National Referendum Commission, upon the expiration of the appeal period or upon the entry into force of the Supreme Administrative Court's decision under Article 24.

(2) Any decision adopted by a national referendum shall enter into force on the date of its promulgation.

## **Section III**

### **Local referendum**

Subject

**Article 26.** (1) A local referendum shall be held within a municipality, district or sub-municipal unit for the purpose of direct citizen voting on issues of local importance which have been vested, by law, within the competence of the local government authorities or bodies of the district/sub-municipal unit.

(2) The following shall not be subject to local referendum:

1. issues related to the municipal budget;
2. issues pertaining to the amount of local taxes and charges;
3. issues pertaining to the rules of internal procedure and operation of the Municipal Council.

(3) When holding a local referendum, one or several questions may be voted on.

(4) Any decision adopted by local referendum shall not be subject to a subsequent approval by the Municipal Council. The Municipal Council shall adopt an act, where necessary for the purpose of enforcing the decision.

Proposals to hold a local referendum

**Article 27.** (1) Local referenda shall be held based on a proposal by:

1. at least one-fifth of the municipal councillors, but no fewer than three municipal councillors;
2. the mayor of the relevant municipality, or the mayor of the sub-municipal unit or district;
3. an initiative committee which has collected signatures from a minimum of one-twentieth of the citizens who are eligible voters with a permanent address within the territory of the relevant municipality, district or sub-municipal unit, as established at the time of the proposal entry into the register.

(2) The Municipal Council shall adopt a decision to hold a local referendum where requested by an initiative committee based on a petition which contains signatures from a minimum of one-tenth of the citizens who are eligible voters in the relevant municipality, district or sub-municipal unit and which does not run counter to the provisions of Article 26(2).

(3) If, within one month of announcing a Municipal Council's decision, an initiative committee which has collected signatures from a minimum of one-tenth of the citizens who are eligible voters in the relevant municipality requests that a referendum be held for the purpose of approving the said decision, the mayor of the municipality shall schedule a date for the referendum, to be held no later than two months following the receipt of the request.

(4) The proposal shall be addressed to the president of the Municipal Council, who shall notify the municipal councillors and the mayor of the municipality within three days following receipt of the proposal.

(5) The president of the Municipal Council shall organise the creation of a public register wherein proposals to hold a local referendum shall be recorded.

(6) Any proposal to hold a local referendum shall include one or several questions, to be answered by voters with "Yes" or "No". The questions shall be written in brief, precise and clear Bulgarian language as in general use.

Initiatives to hold a local referendum via petition

**Article 28.** (1) Initiatives to hold a local referendum under Article 27, Paragraph 1, Item 3 shall be organised via petition by an initiative committee of citizens eligible to vote which comprises 3 to 7 members, including the chairperson.

(2) The initiative committee referred to in Paragraph 1 shall organise the petition by:

1. preparing the forms whereon signatures are to be collected;
2. determining commonly accessible locations for signature collection, upon coordination with the mayor of the relevant municipality;
3. notifying the president of the Municipal Council and the mayor of the municipality, in writing, of the commencement of a petition, as well as the question put forward for referendum voting;

4. arranging the complete set of necessary documents and submitting the petition to the Municipal Council.

(3) The signature collection form shall contain, on each page, the proposition together with the referendum question or questions. Each form shall have a sequential reference number.

(4) Citizens who want to support the proposal shall write the following on the form:

1. full name;
2. PIN;
3. permanent address;
4. signature.

(5) A separate line of the form shall affirm that personal data will be used solely for the purposes of the referendum. The "Notes" section of the form shall also be filled out with the caregiver's details, in the cases where the person concerned has a physical or visual disability and needs assistance in order to express their will.

(6) Each citizen with a permanent address within the territory of the relevant municipality, district or town/city/village may sign any petition organised as per the procedure stipulated in this Act only once.

(7) The petition of the citizen initiative committee shall contain:

1. the proposal to hold a referendum with a formulation of the question to be voted on; the full names, PIN, permanent address and signatures of the initiative committee members, as well as the initiative committee's contact address;

2. the proposal motives;
3. the forms with citizens' signatures which have been collected.

(8) If the petition is not submitted to the Municipal Council within three months of the

relevant notification, the procedure for presenting the referendum proposal shall be terminated by the president of the Municipal Council.

(9) A new petition with a proposal to hold a referendum on the same question may be commenced no earlier than 6 months upon termination of the procedure referred to in Paragraph 8, or one year after the Municipal Council's decision to reject the proposal.

#### Presenting the petition

**Article 29.** (1) (Supplemented, SG No. 19/2014, effective 5.03.2014) Petitions shall be presented to the Municipal Council by the initiative committee and shall be recorded in the register referred to in Article 27(5). The signed petition shall also be submitted in the form of a structured electronic image, containing the particulars of the citizens who have affixed a manual signature, in the order in which they have been entered in the signed petition.

(2) (New, SG No. 100/2010, effective 21.12.2010, amended, SG No. 66/2013, effective 26.07.2013, amended and supplemented, SG No. 19/2014, effective 5.03.2014, amended, SG No. 98/2014, effective 28.11.2014) The president of the Municipal Council shall send the petition in the form of a structured electronic image to the territorial unit to the "Civil Registration and Administrative Services" Department of the Ministry of Regional Development and Public Works, which shall immediately carry out a routine check. Upon ascertaining that the number of signatures required under Article 27, Paragraph 1, Item 3 or Paragraph 2, has been reached, the check shall be finalised and a report shall be prepared and sent to the president of the Municipal Council.

(3) (Renumbered from Paragraph 2, SG No. 100/2010, effective as of 21.12.2010) Upon ascertaining any irregularities in the petition, the president of the Municipal Council shall notify the initiative committee and set a one-month period for the irregularities to be rectified.

(4) (Renumbered from Paragraph 3, amended, SG No. 100/2010, effective as of 21.12.2010) The Municipal Council shall discuss the petition where it complies with the requirements under Paragraphs 1 and 3 and Articles 27 and 28.

#### Decisions to hold a local referendum

**Article 30.** (1) Within three days following receipt of the petition, the president of the Municipal Council shall notify municipal councillors of it, appoint a leading commission for the purpose of discussing the petition and schedule a Municipal Council meeting within one month following receipt of the petition.

(2) The standing commissions and the mayor shall be obliged to discuss the proposal and present their position papers no later than three days prior to the Municipal Council meeting. The aforementioned persons shall present a draft decision to the president of the Municipal Council.

(3) The draft decision shall approve the proposal to hold a referendum with the question/questions to be voted on, or reject the proposal, providing the rationale for the rejection.

(4) The Municipal Council shall schedule a referendum date which shall be no earlier than 45 days and no later than 60 days after the referendum decision date.

(5) The Municipal Council shall schedule the referendum date for a non-business day. Where several proposals have been submitted, the Municipal Council shall set one date for holding a local referendum on all of them.

(6) The Municipal Council's decision under Paragraph 3 shall also endorse the template forms of the referendum ballot papers.

#### Rejecting the proposal to hold a local referendum

**Article 31.** (1) The Municipal Council shall be entitled to making revisions to the question/questions contained in the local referendum proposal, but without altering their meaning or sequential order. If the Municipal Council has determined that the question is illegal, the

Council shall reject the proposal to hold a local referendum by a reasoned decision.

(2) The Municipal Council may, by reasoned decision, reject the proposal to hold a referendum, excluding the cases under Article 27(2) where the requirements under Article 26(2) are met.

Appealing rejections to hold a local referendum

**Article 32.** (1) The Municipal Council's decision on the local referendum request may be appealed by persons under Article 27(1), (2) and (3), or by the relevant regional governor, within 7 days following the decision announcement. The appeal shall be filed with the relevant administrative court, which shall consider the appeal in a three-member panel. The court decision shall be final.

(2) If the administrative court passes a decision overruling the referendum rejection, the Municipal Council shall schedule the referendum within the period set out in Article 30(4), starting from the court decision announcement date.

(3) Should the Municipal Council fail to adopt a decision scheduling a referendum in the cases under Paragraph 2 or Article 27(2) and (3), the initiative committee shall be entitled to request that the regional governor schedule the referendum.

(4) In the cases under Paragraph 3 the regional governor shall request the petition from the president of the Municipal Council, who shall submit it within three days following receipt of the request.

Organising and funding the referendum

**Article 33.** (1) In its decision to hold a local referendum, the Municipal Council shall approve the costs relating to the organisation and funding of the referendum to be paid out of the municipal budget.

(2) The mayor and the municipal administration shall carry out the organisational and technical preparation of the local referendum.

Information campaign

**Article 34.** (1) The information campaign shall commence 30 days prior to the referendum date and finish 24 hours prior to the referendum.

(2) The mayor shall organise the issuance of a referendum data sheet containing:

1. the formulation of the question;

2. brief information about the referendum motives, based on the initiative committee's proposal;

3. information about the time, place and procedure for holding the referendum.

(3) (Supplemented, SG No. 56/2015, effective 24.07.2015) The campaign shall be opened upon providing the referendum data sheet under Paragraph 2, including via the mass media and through circulation at publicly accessible places. Each citizen shall be entitled to receive information about the different positions in respect of the referendum question. Municipalities shall gratuitously provide the initiative committee, as well as the upholders of the alternative position, with appropriate premises, in order to hold consultations and other activities relating to the referendum question/questions. Political parties, coalitions and initiative committees may get registered in support of the referendum question or questions or against thereof.

Mayor's powers

**Article 35.** Mayors of municipalities, districts or sub-municipal units shall:

1. ensure the printing of the ballot papers and statement templates;

2. (amended, SG No. 9/2011) ensure the procurement of envelopes, drop boxes, ballot papers, statements and secret ballot booths for the needs of district electoral commissions;

3. (amended, SG No. 9/2011) perform all other powers, as stipulated in the Election Code.

## Ballot papers

**Article 36.** (1) The referendum ballot papers shall be white.

(2) Each referendum ballot paper shall contain:

1. "Local Referendum" inscription and the name of the municipality, district or sub-municipal unit where the referendum is to be held;

2. the question/questions to be answered by voters, which shall face two horizontally positioned boxes containing the "Yes" and "No" answers written in the same uppercase font.

(3) Where the referendum is held with more than one question, all questions shall be written in the general ballot paper, following the same sequential order as the one in the Municipal Council's decision. The questions shall be separated from each other by a line of space and a bold black horizontal line, with the "Yes"/"No" boxes facing each answer horizontally.

## Voting

**Article 37.** (1) (Amended, SG No. 9/2011) Voters shall vote by crossing out the chosen answer ("Yes"/"No") in the ballot paper; placing the paper in an envelope; leaving the ballot booth; and putting the envelope in the ballot-box.

(2) Where the referendum is held with more than one question, voters shall not be obliged to answer all questions.

## Referendum ballot paper invalidity

**Article 38.** (1) The referendum ballot paper shall be invalid where:

1. (amended, SG No. 9/2011) the paper is found in the ballot-box without an envelope;

2. the paper does not follow the template;

3. the paper is entirely crossed out;

4. no answer is crossed out, or both answers of one question are crossed out.

(2) Smudges, as well as mechanical or other damage, shall not render a ballot paper invalid, provided that the voter's will may be unequivocally ascertained.

## Reporting ballot results

**Article 39.** (1) After the voting process is completed, district electoral commissions shall render an account of the results and draw up a statement specifying:

1. the name of the municipality, district or sub-municipal unit;

2. the polling station reference number;

3. the voting commencement and closing times;

4. the number of voters on the electoral roll;

5. the number of voters who have voted, according to the signatures affixed to the electoral roll;

6. (amended, SG No. 9/2011) the number of voters who have voted, based on the envelopes found in the ballot-box;

7. the number of valid ballot papers wherein the "Yes" answer is crossed out;

8. the number of valid ballot papers wherein the "No" answer is crossed out;

9. the number of invalid ballot papers;

10. any requests and complaints submitted and relevant decisions taken.

(2) Where voters have voted on more than one question, the number of valid ballot papers under Paragraph 1(7) and (8) shall be reported for each question.

(3) The statement shall be drawn up in two copies, one of which shall be sent to the municipal or constituency electoral commission, respectively. The second copy shall be sent to the mayor of the municipality with all election materials enclosed.

(4) The district electoral commission shall report the ballot results to the municipal electoral commission within 24 hours upon the closing time.

#### Statement of the municipal commission

**Article 40.** (1) Based on the statements of the district electoral commissions, the municipal referendum commission shall summarise the data about the relevant municipality, or district/sub-municipal unit, respectively. The data shall be reflected in a statement specifying the name of the municipality, district or sub-municipal unit and the number of:

1. district electoral commissions;
2. district electoral commissions which have submitted statements;
3. citizens who are eligible voters in the municipality, district or sub-municipal unit according to the electoral roll;
4. voters who have voted, according to the signatures affixed to the electoral roll;
5. valid ballot papers;
6. invalid ballot papers;
7. any requests and complaints submitted and relevant decisions taken.

(2) The statement of the municipal referendum commission shall be drawn up in two copies, one of which shall be sent to the Municipal Council, with all referendum materials enclosed. The second copy shall be sent to the regional governor.

(3) The municipal commission shall report the ballot results to the Central Local Referendum Commission within 48 hours upon submission of the last district electoral commission statement.

#### Announcing referendum results

**Article 41.** (1) The municipal referendum commission shall summarise the referendum data and announce the ballot results.

(2) (Amended, SG No. 56/2015, effective 24.07.2015) The referendum proposition shall be considered accepted if not less than 40 percent of the citizens eligible to vote in the respective municipality have participated in the referendum and more than half of the voters who participated in the referendum voted "Yes".

(3) (New, SG No. 56/2015, effective 24.07.2015) When the referendum is held simultaneously with general elections for municipal councillors and mayors, the referendum proposal shall be considered accepted, if more than half of the submitted valid votes in the respective municipality in the municipal councillor elections answered "Yes".

(4) (Renumbered from Paragraph 3, SG No. 56/2015, effective 24.07.2015) If the referendum proposition is not accepted, a local referendum on the same question may be initiated no earlier than one year following the referendum date.

#### Contesting referendum results

**Article 42.** (1) The legality of local referendum results may be contested by persons under Article 27(1), (2) and (3), or by the relevant regional governor, within 7 days following the result announcement by the municipal electoral commission. The contesting shall take place before the relevant administrative court, which shall pass a decision within 14 days.

(2) The decision of the administrative court shall be contestable, within 7 days, before the Supreme Administrative Court, which shall pass a decision within 14 days. The decision of the Supreme Administrative Court shall be final.

#### Announcing the decision adopted by a local referendum

**Article 43.** (1) The decision adopted by a local referendum shall be announced, within three days upon its adoption, by the president of the Municipal Council. The announcement shall be effected by publishing the decision on the official website of the municipality, in one regional newspaper, as well as in one of the regional electronic media, upon the appeal period expiration or upon the entry into force of the court decision under Article 42.

(2) Any decision adopted by a local referendum shall enter into force immediately upon its announcement.

(3) The enforcement of the decision adopted by a local referendum shall be organised by the mayor of the relevant municipality, district or sub-municipal unit.

## **Chapter Three**

### **CIVIL INITIATIVE**

#### National civil initiative

**Article 44.** (1) By a national civil initiative, citizens put forward propositions to the National Assembly, or bodies of the central executive branch, for the purpose of addressing issues of national importance.

(2) National civil initiatives shall be carried out by a petition organised throughout Bulgaria by an initiative committee.

#### Organising a national civil initiative

**Article 45.** (1) Organising national civil initiatives shall be based on a decision taken at a meeting of a minimum of 50 citizens who are eligible to vote.

(2) The meeting shall:

1. approve the proposition to the National Assembly, or a central executive branch body, for which citizen signatures are to be collected;

2. appoint initiative committee members from among the meeting attendees, where the committee shall comprise 3 to 7 members, including the chairperson;

3. approve the template for the signature collection form;

4. determine the timeline and procedure for signature collection; the locations for signature collection shall be specified following coordination with the relevant mayor.

(3) Minutes shall be drawn up of the citizen meeting under Paragraph 2. A list with the names, permanent addresses, personal identification numbers and signatures of the meeting attendees shall be enclosed with the minutes.

#### Local civil initiative

**Article 46.** (1) By a local civil initiative, citizens put forward propositions to the Municipal Council, the mayor of the municipality/district/sub-municipal unit or regional/district bodies of the executive branch, for the purpose of addressing issues of local importance.

(2) Local civil initiatives shall be carried out by a petition organised by an initiative committee, within the territory of the relevant municipality, district, sub-municipal unit or town/city/village.

#### Organising a local civil initiative

**Article 47.** (1) Organising local civil initiatives shall be based on a decision taken at a meeting of a minimum of 50 citizens who are eligible voters with a permanent or current address within the territory of the relevant municipality, district, sub-municipal unit or town/city/village.

(2) The meeting shall:

1. approve the proposition to the Municipal Council, the mayor of the municipality/district/sub-municipal unit or regional/district bodies of the executive branch, for which signatures of citizens who are eligible voters are to be collected;

2. appoint members of an initiative committee which shall comprise 3 to 5 members, including the chairperson;

3. approve the template for the signature collection form;

4. determine the timeline and procedure for signature collection; the locations for signature

collection shall be specified following coordination with the relevant mayor.

(3) Minutes shall be drawn up of the citizen meeting under Paragraph 2. A list with the names, permanent addresses, personal identification numbers and signatures of the meeting attendees shall be enclosed with the minutes.

#### Civil initiative petition

**Article 48.** (1) National and local civil initiatives shall be carried out through petitions.

(2) The petition shall be completed within a period determined by the meeting under Article 45(2) or Article 47(2). The period shall not exceed three months following the date of the meeting for organising a national civil initiative, and two months in the case of local civil initiatives.

(3) Each citizen eligible to vote may sign any petition only once; in cases of national civil initiatives, signing may be done at a place different than the place specified as the person's permanent address; in cases of local civil initiatives, citizens shall participate in petitions at locations which are consistent with the citizen's permanent or current address.

#### Petitions

**Article 49.** (1) The petition shall include:

1. the approved proposition which is the subject of the petition;
2. the minutes under Article 45(3) or Article 47(3);
3. the forms with citizens' signatures collected.

(2) The form of the petition under Article 45(1) and Article 47(1) shall contain on each sheet:

1. the name of the municipality, district, sub-municipal unit or town/city/village where the signatures are to be collected;

2. sequential reference number.

(3) Citizens who are eligible to vote shall write down on the forms their full name, PIN, and permanent or current address and shall put their signature.

(4) A separate line of the form shall affirm that personal data will be used solely for the purposes of the civil initiative. The "Notes" section of the form shall also be filled out with the caregiver's details, in the cases where the person concerned has a physical or visual disability and needs assistance in order to express their will.

#### Information campaign

**Article 50.** The initiative committee shall organise an information campaign and public discussions in connection with the proposition which is subject to the petition.

#### Presenting the petition

**Article 51.** (1) (Supplemented, SG No. 19/2014, effective 5.03.2014) In cases of national civil initiatives, within the period under Article 48(2), the initiative committee shall present the petition to the National Assembly or the relevant executive branch body. In cases of local civil initiatives, within the period under Article 48(2), the initiative committee shall present the petition to the Municipal Council, the mayor of the municipality/district/sub-municipal unit or the regional/district bodies of the executive branch. The signed petition shall also be submitted in the form of a structured electronic image, containing the particulars of the citizens who have affixed a manual signature, in the order in which they have been entered in the signed petition.

(2) The petition shall contain an enclosure - a list of the names, personal identification numbers, permanent or current addresses and signatures of the initiative committee members, as well as a contact address of the initiative committee.

(3) (New, SG No. 100/2010, effective 21.12.2010, amended, SG No. 66/2013, effective 26.07.2013, amended and supplemented, SG No. 19/2014, effective 5.03.2014, amended, SG No.



98/2014, effective 28.11.2014) Upon receiving a proposition from a national civil initiative under Article 44(1) or a local civil initiative under Article 46(1), the relevant competent authority, or, in cases of collective organisations, its chairperson or head, shall send the petition in the form of a structured electronic image to the "Civil Registration and Administrative Services" Department of the Ministry of Regional Development and Public Works or to the territorial unit thereof in the respective administrative region, which shall immediately carry out a routine check. A report outlining the results of the check shall be prepared and sent to the relevant competent authority.

Considering the petition and providing information

**Article 52.** (1) Those authorities which have been presented with the national civil initiative petition shall consider the propositions and, within three months following receipt of the petition, shall announce their decision, along with the decision enforcement measures. The announcement shall be effected by publishing the decision and measures on the official websites of the said authorities, in one national daily newspaper, as well as in the public electronic media.

(2) The Municipal Council, the mayor or the bodies of the executive branch to which the local civil initiative is addressed shall consider the propositions and, within one month following receipt of the petition, shall announce their decision and any measures taken in this regard, by publishing them on the municipal website, as well as in one regional newspaper.

(3) Within the period under Paragraph 1, the authorities referred to in Paragraphs 1 and 2 shall notify the initiative committee of their decision and the measures for its enforcement.

Petition funding

**Article 53.** Expenditure related to organising the petition shall be funded by citizens and legal persons. For this purpose, the initiative committee shall open an escrow account.

## **Chapter Three "a"**

### **(New, SG No. 42/2012)**

# **EUROPEAN CITIZENS' INITIATIVE**

Certification of online statements of support for a European citizens' initiative

**Article 53a.** (New, SG No. 42/2012) (1) A European citizens' initiative shall take place through a subscription, subject to the requirements of Regulation (EU) No. 211/2011.

(2) Statements of support by signatories of a proposed European citizens' initiative shall be collected in paper form or electronically.

(3) (Amended, SG No. 20/2013, SG No. 94/2019, effective 29.11.2019) Where statements of support are collected online through the online data collection system, the authority competent to certify that the online collection system used for that purpose complies with the requirements of Regulation (EU) No. 211/2011 shall be the Chairperson of the Electronic Government State Agency.

(4) (Amended, SG No. 94/2019, effective 29.11.2019) Prior to initiating the collection of statements of support, the organisers shall request the Chairperson of the Electronic Government State Agency to certify that the online data collection system to be used complies with the requirements of Regulation (EU) No. 211/2011.

(5) (Amended, SG No. 20/2013) The methods and the rules for the compliance assessment shall be laid down in an Ordinance by the Council of Ministers.

(6) (Repealed, SG No. 20/2013) .

(7) The technical and security features of the systems for online collection of statements of support are laid down in Commission Implementing Regulation (EU) No 1179/2011 of 17

November 2011 laying down technical specifications for online collection systems pursuant to Regulation (EU) No 211/2011 of the European Parliament and of the Council on the citizens' initiative (OJ, L 301/3 of 18 November 2011).

(8) (Amended, SG No. 20/2013) Where the system for collection of statements of support complies with the requirements of Paragraph (9), the Minister of Transport, Information Technology and Communications shall within one month issue a certificate to that effect in accordance with the model set out in Annex IV to Regulation (EU) No. 211/2011.

(9) Certificates of compliance of the online system for collection of statements of support with the requirements of Article 6 of Regulation (EU) No. 211/2011 issued by the competent authorities of other European Union Member States shall also be recognised.

Verification and certification of statements of support for a European citizens' initiative

**Article 53b.** (New, SG No. 42/2012) (1) (Amended, SG No. 66/2013, effective 26.07.2013, SG No. 98/2014, effective 28.11.2014) Where a European citizens' initiative has been organised, the authority competent to verify and certify the number of valid statements of support collected for the Republic of Bulgaria shall be the Citizens' Registration and Administrative Services Directorate General with the Ministry of Regional Development and Public Works. Such verification shall be completed within three months from receipt of the statements, and based on the results thereof, a document certifying the number of valid statements of support shall be issued to the organisers.

(2) The funds needed for the verification referred to in Paragraph (1) shall be provided by the state budget.

Personal Data Protection

**Article 53c.** (New, SG No. 42/2012, amended, SG No. 17/2019) Personal data shall be collected and processed under this Chapter subject in compliance with the requirements for the protection of personal data.

## **Chapter Four**

# **GENERAL POPULACE MEETING**

General populace meeting

**Article 54.** (1) General populace meetings shall be held for the purpose of addressing issues of local importance which, as appropriate, have been vested within the competence of the relevant municipal council or mayor.

(2) The Municipal Council or the mayor of the municipality shall issue the relevant acts for undertaking the necessary actions, within one month following receipt of the decision of the general populace meeting in the municipality, district or sub-municipal unit, unless the general populace meeting has determined a longer period.

(3) The Municipal Council shall undertake any necessary actions within one month following receipt of the decision of the general populace meeting in the town/city/village or residential area.

Place for holding general populace meetings

**Article 55.** (1) General populace meetings shall be held in municipalities, districts, sub-municipal units, towns/cities/villages and residential areas with a population of up to 10,000 citizens.

(2) In municipalities, districts, sub-municipal units, towns/cities/villages and residential areas with a population exceeding 1,000 citizens, general populace meetings may be held at several locations as per the relevant polling stations, within a specified period. In such cases, the

provisions of this Chapter Four shall apply in respect of each separate meeting.

#### Members of general populace meetings

**Article 56.** (1) General populace meetings shall comprise all citizens who are eligible voters within the territory of the municipality, district, sub-municipal unit, town/city/village or residential area and who have a permanent or current address in the relevant municipality, district or sub-municipal unit prior to the date scheduled for the meeting.

(2) The mayor of the municipality, district or sub-municipal unit shall compile and keep up-to-date lists of the eligible voters who constitute the general populace meeting under Paragraph 1.

#### Initiatives for convening a general populace meeting

**Article 57.** (1) General populace meetings shall be convened by the mayor of the municipality, district or sub-municipal unit by:

1. the mayor's initiative;
2. decision of the Municipal Council;
3. request of a minimum of one-fiftieth of the citizens, but not fewer than 20 citizens, who are eligible voters and have a permanent or current address within the territory of the municipality, district, sub-municipal unit, town/city/village or residential area at the time when the request was formulated.

(2) In the cases under Paragraph 1(3), the petition initiative to convene a general populace meeting shall be organised by an initiative committee of citizens comprising three to nine members, including the chairperson.

(3) A separate line of the petition form shall affirm that personal data will be used solely for the purposes of the general populace meeting. The "Notes" section of the form shall also be filled out with the caregiver's details, in the cases where the person concerned has a physical or visual disability and needs assistance in order to express their will.

(4) Citizens who want to support the proposition shall write the following on the form: full name; personal identification number (PIN); permanent or current address, and signature. Each citizen may sign the petition only once.

(5) (Supplemeneted, SG No. 100/2010, effective 21.12.2010, amended, SG No. 66/2013, effective 26.07.2013, amended and supplemented, SG No. 19/2014, effective 5.03.2014, amended, SG No. 98/2014, effective 28.11.2014) The initiative committee shall present the petition to the mayor, who shall convene the general populace meeting within the period specified in the petition. The signed petition shall also be submitted in the form of a structured electronic image, containing the particulars of the citizens who have affixed a manual signature, in the order in which they have been entered in the signed petition. The mayor shall send the petition in the form of a structured electronic image to the territorial unit to the "Civil Registration and Administrative Services" Department of the Ministry of Regional Development and Public Works, which shall immediately carry out a routine check. Upon ascertaining that the number of signatures required under Paragraph 1(3), has been reached, the check shall be finalised and a report shall be prepared and sent to the mayor of the municipality.

(6) The convening notice for a general populace meeting shall contain:

1. date and time of the meeting;
2. location where the meeting will take place;
3. questions tabled for discussion.

(7) The notice shall be made public, with the announcement made no later than 15 days prior to the date for which the meeting is scheduled.

#### Holding general populace meetings

**Article 58.** (1) A general populace meeting shall be held no earlier than 15 days and no later than one month following its announcement.

(2) General populace meetings shall be held after business hours.

Expenditure

**Article 59.** Expenditure relating to the organisational arrangements for the general populace meeting shall be paid out of the municipal budget.

Quorum

**Article 60.** (1) General populace meetings shall be considered quorate where the attendees constitute a minimum of one quarter of the citizens who are eligible voters in the municipality, district, sub-municipal unit, town/city/village or residential area.

(2) In towns/cities/villages with up to 150 residents, the presence of a minimum of one-third of the citizens who are eligible voters in the relevant town/city/village shall be required in order to validly hold a general populace meeting.

(3) Where the specified number of citizens have not appeared at the scheduled time, the general populace meeting shall be postponed by one hour, whereupon it shall be held by those who do attend. Their number, however, shall not be lower than one-tenth of all citizens who are eligible to vote.

(4) The decision shall be adopted by the votes of a minimum of half of the attending voters.

Voting

**Article 61.** (1) General populace meetings shall be held by a commission comprising three to five members, including the chairperson, who have been elected by a majority of more than half of the attending citizens eligible to vote.

(2) Voting at general populace meetings shall be by secret ballot, unless the general meeting chooses to proceed by non-secret ballot. For the purpose of counting the non-secret ballot results, the general meeting shall appoint counting persons.

(3) The commission shall approve the ballot papers, where balloting is secret, and shall organise the voting and reporting of results.

(4) Decisions of the general populace meeting shall be adopted by a majority of more than half of the attendees and shall be immediately announced by the commission chairperson.

Minutes of general populace meetings

**Article 62.** (1) The commission shall draw up minutes reflecting:

1. the date, commencement time, closing time and place of the meeting;
2. the issues subject to discussion;
3. a summary of the propositions made and the motives thereof;
4. the ballot results and the adopted decisions;

(2) The minutes shall be signed by the commission chairperson and kept in the municipal/district administration or the sub-municipal unit.

Reporting ballot results

**Article 63.** (1) Where the general populace meeting is held in accordance with the allocation of polling stations, ballot results in the municipality, district, sub-municipal unit, town/city/village or residential area shall be reported as a sum of the results of each separate meeting by:

1. the mayor of the municipality jointly with the chairpersons of each separate meeting, where the general populace meeting is held within the territory of the whole municipality;

2. the mayor of the municipality jointly with the mayors of districts and sub-municipal units and the chairpersons of each separate meeting, where the general populace meeting is held within the territory of the district, sub-municipal unit, town/city/village or residential area.

(2) The decision of the general populace meeting shall be announced by the mayor of the municipality.

(3) Based on the decision of the general populace meeting, within 7 days, the mayor shall issue an order specifying the decision enforcement measures or shall submit a proposal to the Municipal Council aimed at the preparation and adoption of the relevant decision, regulation or ordinance.

#### Appeals

**Article 64.** (1) Where the mayor fails to convene a general populace meeting within the period under Article 58, the tacit rejection shall be subject to appeal, within 7 days, before a three-member panel of the relevant administrative court. Within 14 days upon receipt of the appeal, the court shall pass a ruling, which shall be final.

(2) The legality of the general populace meeting and its decisions shall be subject to appeal before a three-member panel of the relevant administrative court within 7 days following the meeting date. The court shall resolve the dispute within 14 days following receipt of the appeal, and the court ruling shall be final.

## **ADDITIONAL PROVISIONS**

### **(Title amended, SG No. 42/2012)**

**§ 1.** "Residential area" as per the meaning of this Act shall be a self-contained territory in a town/city determined by a decision of the Municipal Council.

**§ 1a.** (New, SG No. 42/2012, amended, SG No. 66/2013, effective 26.07.2013, SG No. 98/2014, effective 28.11.2014) The funds needed for the official verifications of the subscriptions for a local referendum, for a local citizen's initiative and for convening a general population meeting shall be provided by the municipal budget of the municipality concerned and shall be transferred to the budget of the Ministry of Regional Development and Public Works.

## **TRANSITIONAL AND FINAL PROVISIONS**

**§ 2.** (Amended, SG No. 9/2011) The respective provisions of the Election Code shall apply in respect of all issues related to holding a national and local referendum.

**§ 3.** The Referral to the People Act (promulgated, SG No. 100/1996; amended, No. 69/1999, No. 24/2006 and No. 13/2007) shall be repealed.

**§ 4.** In Article 25(10) of the Agricultural Land Ownership and Use Act (promulgated, SG No. 17/1991; corrected, SG No. 20/1991; amended, No. 74/1991, Nos 18, 28, 46 and 105 of 1992, Nos 48, 64 and 83 of 1993, No. 80/1994, Nos 45, 57 and 59 of 1995, Nos 79, 103 and 104 of 1996, Nos 62, 87, 98, 123 and 124 of 1997, Nos 36, 59, 88 and 133 of 1998, No. 68/1999, Nos 34 and 106 of 2000, Nos 28, 47 and 99 of 2002, No. 16/2003, Nos 36 and 38 of 2004, No. 87/2005, Nos 17 and 30 of 2006, Nos 13, 24 and 59 of 2007, Nos 36 and 43 of 2008, Nos 6, 10 and 19 of 2009), the phrase "Article 40, Paragraph 1, Item 3 of the Referral to the People Act" shall be replaced by "Chapter Four of the Direct Citizen Participation in State and Local Government Act".

**§ 5.** In the Local Self-government and Local Administration Act (promulgated, SG No. 77/1991; amended, Nos 24, 49 and 65 of 1995, No. 90/1996, No. 122/1997, Nos 33, 130 and 154 of 1998, Nos 67 and 69 of 1999, Nos 26 and 85 of 2000, No. 1/2001, Nos 28, 45 and 119 of 2002, No. 69/2003, Nos 19 and 34 of 2005, Nos 30 and 69 of 2006, Nos 61 and 63 of 2007, Nos 54 and 108 of 2008, Nos 6, 14 and 35 of 2009), Article 17(5) shall be repealed.

This Act was adopted by the 40th National Assembly on 29 May 2009 and stamped with the official seal of the National Assembly.

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**TRANSITIONAL AND FINAL PROVISIONS**  
of the Act Amending and Supplementing the Direct  
Citizen Participation in State and Local Government Act  
(SG No. 100/2010, effective 21.12.2010)

§ 5. (1) This Act shall apply to national and local referendum proposals for which the notifications under Article 12, Paragraph 2, Item 3 and Article 28, Paragraph 2, Item 3 have been received by the relevant competent authority prior to the entry into force of this Act; this Act shall also apply to national civil initiative proposals, local civil initiative proposals or general populace meeting proposals which have been received by the relevant competent authority prior to the entry into force of this Act.

(2) The period referred to in Article 13(8) shall not include the time needed by the "Civil Registration and Administrative Services" Department of the Ministry of Regional Development and Public Works in order to carry out its check referred to in Article 13(2).

(3) The one-month period referred to in Article 30(1) shall not include the time needed by the "Civil Registration and Administrative Services" Department of the Ministry of Regional Development and Public Works in order to carry out its check referred to in Article 29(2).

.....  
**ADDITIONAL PROVISION**  
of the Act Amending and Supplementing the Direct  
Citizen Participation in State and Local Government Act  
(SG No. 42/2012)

§ 5. All occurrences of the phrase "ballot drop box" in this Act shall be replaced by the phrase "ballot-box".

**TRANSITIONAL AND FINAL PROVISIONS**  
of the Act Amending the Electronic Government Act  
(SG No. 20/2013)

.....  
§ 6. (1) The provisions of this act shall apply to information systems which have been developed or which are in the process of development as of the date of entry into force of this act.

(2) All Operational Compatibility and Information Security certificates issued as of the date of entry into force of this act shall remain valid interoperability certificates.

**TRANSITIONAL AND FINAL PROVISIONS**  
to the Act on Amendment and Supplement of Spatial Development Act  
(SG No. 66/2013, effective 26.07.2013)

.....  
§ 84. In the Direct Citizen Participation in State and Local Government Act (promulgated, SG No. 44/2009, amended, SG No. 100/2010, SG No. 9/2011, SG No. 42/2012 SG No.20/2013) the words "Ministry of Regional Development and Public Works" is replaced by "the Ministry of Regional Development."

.....  
§ 117. This Act shall enter into force on the day of its publication in the "State Gazette".  
**TRANSITIONAL AND FINAL PROVISIONS** to the Election Code  
(SG No. 19/2014, effective 5.03.2014)

.....  
§ 22. The Citizens' Direct Participation in Central Government and Local Self-government Act (promulgated in the State Gazette No. 44 of 2009; amended in No. 100 of 2010, No. 9 of 2011, No. 42 of 2012, Nos. 20 and 66 of 2013) shall be amended and supplemented as follows:

.....  
5. In the Act, the words "урна", "урни" and "урната" shall be replaced passim by "кутия", "кутии" and "кутията". [this amendment does not affect the English version - Translator's Note]

§ 23. The collections of signatures on petitions under the Citizens' Direct Participation in Central Government and Local Self-government Act, which have commenced prior to the entry into force of this Code, shall be submitted according to the hitherto effective procedure.

.....  
**TRANSITIONAL AND FINAL PROVISIONS**

to the Act to Amend and Supplement the Spatial Development Act  
(SG No. 98/2014, effective 28.11.2014)

.....  
§ 84. In the Direct Citizen Participation in State and Local Government Act (promulgated, SG No. 44/2009, amended No. 100/2010, No. 9/2011, No. 42/2012, Nos. 20 and 66/2013, No. 19/2014) everywhere in the text the words "the Ministry of Regional Development" shall be replaced by "the Ministry of Regional Development and Public Works".  
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