

LAW OF THE ADMINISTRATIVE TERRITORIAL STRUCTURE OF THE REPUBLIC OF BULGARIA

Prom. SG. 63/14 Jul 1995, amend. SG. 51/14 Jun 1996, amend. SG. 27/10 Mar 1998, amend. SG. 33/24 Mar 1998, amend. SG. 154/28 Dec 1998, amend. SG. 10/5 Feb 1999, amend. SG. 69/3 Aug 1999, amend. SG. 57/14 Jul 2000, amend. SG. 67/29 Jul 2003, amend. SG. 80/9 Sep 2003, amend. SG. 46/3 Jun 2005

Chapter one. GENERAL

Art. 1. This law settles the creation of administrative-territorial and territorial units in the Republic of Bulgaria, as well as the introduction of administrative-territorial changes.

**Art. 2. (1) Administrative territorial units are the regions and the municipalities.
(2) Composite administrative territorial units of the municipalities are the mayoralties and quarters.**

(3) The region, municipality and mayoralty shall have territory, boundaries, population, name and administrative centre, and the quarter - territory, boundaries, population and name.

**Art. 3. (1) Territorial units are the settlements and the settlement formations.
(2) (amend., SG 154/98) Settlement is a historically and functionally formed territory, determined by a permanently residing population, construction boundaries or land and construction boundaries and the necessary social and engineering infrastructure.**

(3) (new, SG 154/98) The settlements are specified as towns and villages and shall be subject to registration in the Single Classifier of the Administrative-territorial and Territorial Units.

(4) (prev. para 3 - amend., SG 154/98) The settlement formations are territories outside the construction boundaries of the settlements, developed for specific functions, defined by construction boundaries, but having no permanently residing population.

(5) (prev. para 4 - SG 154/98) The settlement and the settlement formation shall have territory, boundaries and name.

Chapter two. ORDER OF ESTABLISHING REGIONS, MUNICIPALITIES, QUARTERS AND MAYORALTIES

Section I. Region

Art. 4. (1) The region shall consist of one or more neighbouring municipalities.

(2) The territory of the region shall be the territory of the municipalities included in it.

(3) (suppl., SG 154/98; amend., SG 10/99) Name of the region shall be the name of the settlement - its administrative centre.

Art. 5. Taken into consideration in establishing regions shall be:

1. the physical-geographic specifics of the territory;
2. the presence of a town - a traditional cultural and economic centre with established social and technical infrastructure and transport access to it from the settlements of the region.

Art. 6. (amend., SG 154/98) (1) The territory of the Republic of Bulgaria is divided into 28 regions.

(2) The boundaries and the administrative centres of the regions shall be approved by an edict of the President at a proposal of the Council of Ministers.

Section II. Municipality

Art. 7. (1) The municipality consists of one or more neighbouring settlements.

(2) (amend., SG 154/98) Territory of the municipality shall be the territory of the settlements included in it.

(3) Name of the municipality shall be the name of the settlement - its administrative centre.

Art. 8. (1) The requirements for establishment of a new municipality shall be:

1. (amend., SG 154/98) available population over a total of 6000 people in the settlements to be included in the municipality;

2. presence of a settlement - a traditional uniting centre with created social and technical infrastructure providing the servicing of the population;

3. inclusion of all neighbouring settlements for which there are not conditions for establishing an individual municipality or which cannot be acceded to another neighbouring municipality;

4. (amend., and suppl., SG 154/98) a maximal road and transport remoteness of the settlements from the centre of the municipality no more than 40 km.

5. (new, SG 154/98) proven ability of financing the expenses of the newly created municipality by own resources amounting to no less than half of the average for the municipalities stipulated by the republican budget approved for the respective year.

(2) (new, SG 154/98) The requirements of para 1 shall also be valid for the municipality from which settlements are separated.

(3) (prev. para 2 - SG 154/98) In the cases when geographic, economic,

communication, historic and other reasons make impossible the fulfilment of some of the requirements of para 1 the Council of Ministers may take a decision for establishment of a new municipality by the order of art. 9.

Art. 9. (1) The order of establishing a municipality shall be:

1. a request for establishment of a municipality by one or more settlements, expressed by a subscription of at least 25 percent of the electorate of these settlements to the respective municipal council. The request shall be accompanied by statements of the mayors of the settlements for the presence of the requirements under art. 8, para 1;

2. (suppl., SG 27/98) the municipal council, within one month, shall establish the presence of the requirements under art. 8 and shall announce a motivated decision to be sent to the regional governor;

3. (amend., SG 27/98) the regional governor, within one month, shall verify the lawfulness of the request and, if the requirements of the law have been met, shall propose to the municipal council to take a decision for holding a general referendum in the settlements to form the new municipality, in compliance with the requirements of art. 7 and 8;

4. the referendum shall be held under conditions and by an order determined by a law;

5. on a positive vote of the electorate the regional governor, within two months, shall present a written report to the Council of Ministers;

6. (amend., SG 27/98) The Council of Ministers shall adopt a decision upon a written statement of the Minister of Regional Development and Public Works;

7. the decision of the Council of Ministers for establishing a new municipality shall be sent to the President of the Republic of Bulgaria for approval.

(2) (amend., SG 27/98; amend., SG 154/98) Initiative for establishing a new municipality shall have the respective municipal council in compliance with the procedure under para 1, item 3, 4, 5, 6 and 7, and the regional governor or the Council of Ministers, in compliance with the procedure under para 1, item 4, 5, 6 and 7.

(3) (new, SG 27/98) In the cases when the results from the referendum under para 1, item 4, in one or more settlements, makes impossible the establishment of a new municipality, due to non-compliance with the requirement of art. 7, para 1, or some of the requirements of art. 8, para 1, the Council of Ministers may take a decision for its establishment, including these settlements within its boundaries under the following conditions:

1. positive voters for establishment of the new municipality must have been more than half of the voters of all settlements where the referendum has taken place;

2. a positive statement of the regional governor in the report under para 1, item 5;

3. a positive statement of the Minister of Regional Development and Public Works under para 1, item 6.

Section III.

Quarter

Art. 10. (1) Quarters shall be established in the capital and in the cities with over 300 000 people.

(2) Quarters may also be established in the towns with population over 100 000 people by a decision of the municipal council.

Art. 11. (1) The territory of the quarter shall be a part of the territory included in the construction and land boundaries of the town.

(2) The name of the quarter shall be determined by the act of establishment.

Art. 12. The terms of establishment of quarters in the cities shall be:

1. available population of over 25 000 people in the respective quarter;
2. possibility of regional planning of the territory of the respective towns according to the acting general urban development plans, and in compliance with permanent natural geographic or infrastructure divisions;
3. presence of created infrastructure of importance for the quarter for meeting administrative, social and sanitary-hygienic needs.

Art. 13. (1) The order of establishing a quarter shall be:

1. the municipal council at a proposal of the mayor of the municipality shall discuss a project for division of the town into quarters and shall adopt a decision;
2. the decision under item 1 shall be sent for promulgation in the State Gazette through the regional governor who shall announce his decision on its lawfulness within 14 days from the date of its receipt;
3. the decision under item 1 shall enter into force on the date of its promulgation in the State Gazette.

(2) The territorial division of the capital municipality and of the cities with population over 300 000 people shall be carried out by a law.

Section IV. Mayoralty

Art. 14. (1) A mayoralty may be established on the territory of the municipality by a decision of the municipal council.

(2) The mayoralty shall consist of one or more settlements.

Art. 15. (1) Territory of the mayoralty shall be the territory of the settlements included in it.

(2) Name of the mayoralty shall be the name of the settlement - administrative centre.

Art. 16. (amend., SG 69/99) The requirements for establishing mayoralty shall be:

1. (amend., SG 67/03) available population of over 250 people in the settlements forming the mayoralty;
2. possibility of fulfilment of the functions assigned by the municipality.

Art. 17. (1) The order of establishing mayoralty shall be:

1. a request signed by at least 25 percent of the voters in the interested settlements to the municipal council stating the motives and the possibilities of meeting the requirements for establishing mayoralty;

2. (amend. and suppl., SG 154/98) within one month the municipal council shall consider the request and shall adopt a decision for referendum or a subscription of the population in the interested settlements;

3. for a positive vote of the referendum the municipal council shall adopt a decision for establishment of mayoralty;

4. the decision under item 3 shall be sent for promulgation in the State Gazette through the regional governor who shall announce comments on its lawfulness within 14 days from the date of its receipt;

5. the decision for establishment of mayoralty shall enter into force on the date of its promulgation in the State Gazette.

(2) (amend. and suppl., SG 154/98) The municipal council may take a decision for referendum or a subscription of the population for establishment of mayoralty without meeting the requirements of para 1, item 1, in the presence of the conditions of art. 16.

Chapter three.

ORDER OF ESTABLISHMENT OF SETTLEMENTS AND SETTLEMENT FORMATIONS

Section I. Settlement

Art. 18. (1) Territory of the settlement is the settlement territory set by its construction boundaries, and the territory out of the settlement set by the boundaries of the land territory.

(2) The name of the settlement shall be determined by an edict of the President of the Republic of Bulgaria.

Art. 19. (1) New settlements shall be established on the land territories of existing settlements.

(2) The requirements for establishing a settlement are:

1. (amend., SG 154/98) permanent settling of population in the existing settlement formation on a territory determined by a development plan or occurred necessity of settling on it;

2. (revoked, SG 154/98)

3. (amend., SG 154/98) presence of permanently residing population and of created social infrastructure.

Art. 20. The order of establishing a new settlement shall be:

1. (amend., SG 154/98) a request signed by at least 25 percent of the voters or by the mayor of the municipality to the municipal council for establishing a new settlement;

2. (amend. and suppl., SG 154/98) the municipal council, within two months, shall consider the request and shall send its decision to the regional governor; the regional governor, within one month, shall present to the Council of Ministers a motivated proposal for

establishing a new settlement.

3. the decision of the Council of Ministers for establishing a new settlement and the edict of the President of the Republic of Bulgaria for determining its name shall be promulgated in the State Gazette.

Art. 21. (1) Restoration of crossed out settlements shall be admitted under the following conditions:

1. the reasons for which they have been crossed out were dropped;
2. the territory within the construction boundaries and the constructed buildings have been preserved;
3. more than 50 people reside permanently.

(2) The restoration of settlements shall be carried out by the order of art. 20, as the request shall be signed by at least 25 persons.

Section II. Settlement formation

Art. 22. (1) The territory of the settlement formation shall be determined by its construction boundaries. The settlement formation is located on the territory of one or more settlements and has no independent land territory.

(2) The name of the settlement formation shall be determined by the act for its establishing.

Art. 23. The settlement formations are of national and local importance. The Council of Ministers shall determine the settlement formations of national importance.

Art. 24. The requirements for establishing a new settlement formation are:

1. necessity of satisfying occurred resort or industrial needs of local or national importance;
2. presence of a development plan or determined construction boundaries of the settlement formation.

Art. 25. The order of establishing a new settlement formation shall be:

1. for the settlement formations of local importance - by a decision of the municipal council at a proposal of the mayor of the municipality;
2. for the settlement formations of national importance - by a decision of the Council of Ministers upon coordination with the respective municipal council;
3. the decisions under item 1 and 2 shall enter into force upon their promulgation in the State Gazette.

Chapter four. ORDER OF INTRODUCING ADMINISTRATIVE TERRITORIAL

CHANGES

Section I. Region

Art. 26. (1) Change of the boundaries of the region can be introduced only of the boundaries of existing municipalities. The change shall be approved by an edict of the President of the Republic of Bulgaria at a proposal of the Council of Ministers.

(2) Change of the administrative centre and of the name of the region shall be approved by an edict of the President of the Republic of Bulgaria at a proposal of the Council of Ministers.

Section II. Municipality

Art. 27. (1) A change, leading to closing down of a municipality due to division, shall be introduced in compliance with the requirements of art. 8 for each of the newly established municipalities by the order of art. 9 for their establishment.

(2) (new, SG 154/98) The Council of Ministers may take a decision for division of an existing municipality into two or more municipalities upon holding the procedure under art. 9, para 2 on the territory of at least one of the future municipalities, when the conditions of art. 8 are present.

(3) (prev. para 2 - SG 154/98) For a change leading to closing down of a municipality because of merging the procedures stipulated by art. 9, para 1, item 1, 2, 3, 4 and 5 shall be carried out individually for each affected municipality.

(4) (new, SG 154/98) An initiative for changes under para 1, 2 and 3 shall have the population, expressed through a subscription, the municipal councils and the Council of Ministers, observing the procedures of art. 9 or art. 28.

Art. 28. (1) (amend., SG 154/98; prev. text of art. 28 - SG 57/00) A change of the boundaries of a municipality, due to a separation of a populated area and its accession to a neighbouring municipality on the territory of one region, having a common boundary with it, shall be introduced after a local referendum by the following order:

1. a request for holding referendum for separation of a settlement from the respective municipality and its accession to a neighbouring municipality, expressed through a subscription of at least 25 percent of the voters of the settlement to the respective municipal council; the request shall be accompanied by a motivated statement of the mayor of the settlement, which shall be sent to the interested municipal councils;

2. the municipal councils, within one month, shall announce obligatorily a motivated decision regarding the requested change and shall send it to the regional governor;

3. the regional governor, within two weeks, shall verify the lawfulness of the request and of the decisions of the municipal councils;

4. upon a positive decision of the municipal council of the receiving municipality the

regional governor, within two weeks, shall propose to the municipal council of the municipality, from whose territory the separation is requested, to adopt a decision for holding referendum in the respective settlement;

5. the referendum shall be held under conditions and by an order determined by a law;

6. upon a positive vote of the voters the regional governor, within one month shall file a written report in the Council of Ministers regarding the requested change;

7. the Council of Ministers shall adopt a decision proposing to the President of the Republic of Bulgaria to approve the requested change.

(2) (new, SG 56/00) In cases related to the provision of a most favourable environment of satisfying daily necessities of the population of health, social, cultural, trade, transport, financial judicial and other services, one or several settlements may separate from one municipality and access to another neighbouring municipality located on the territory of another region upon a decision of the Council of Ministers adopted at a proposal of the Minister of Regional Development and Public Works and the regional governors of the two regions by observing the procedures under para 1.

Art. 29. Change of the administrative centre and of a name of a municipality shall be introduced in the presence of the conditions of art. 8, para 1, item 2 by the following order:

1. (amend., SG 154/98) the municipal council, on the grounds of a positive vote from a referendum held on the territory of the municipality, within one month, shall send through the regional governor to the Council of Ministers, a proposal for a change;

2. the Council of Ministers shall adopt a decision proposing to the President of the Republic of Bulgaria to approve the change.

Section III. Quarter and mayoralty

Art. 30. A change related to closing of a quarter or mayoralty, as well as a change of their boundaries, shall be introduced under the conditions and by the order of their establishment.

Art. 31. Change of the administrative centre of the mayoralty shall be introduced by a decision of the municipal council.

Section IV. Settlement and settlement formation

Art. 32. (1) A change leading to closing down a settlement and a settlement formation shall be carried out by the order of art. 20 or 25 upon dropping the requirements of art. 19, para 2, item 1 or art. 24, item 1.

(2) A change related to the separation of parts of a settlement and their establishment in a new settlement shall be carried out under the conditions and by the order of establishing a new settlement.

(3) A change related to the separation of parts of a settlement and their accession to another settlement shall be carried out by the order of art. 20.

(4) (suppl., SG 154/98) A change, related to the accession of one settlement to another, shall be carried out by the order of art. 20. If the settlement, to which another settlement is accessed, is simultaneously a mayoralty, upon the conclusion of the procedure under art. 20 the municipal council shall take a decision for closing down the mayoralty. The decision shall be promulgated in the State Gazette through the regional governor.

(5) (new, SG 154/98) A change, related to closing down of a settlement, due to a construction of large economic sites (dam lakes, aerodromes, industrial sites, etc.) shall be carried out upon an edict of the President at a proposal of the Council of Ministers. In the cases of remaining parts of land territories of crossed out settlements, upon approval of the regulation plan of the site, the respective municipal council shall adopt a motivated decision for accession of these parts to the neighbouring land territories.

Art. 33. (1) (amend. SG 46/05) For announcing a village as a town it shall be necessary the settlement to have established social and technical infrastructure and population not less than 3500 people and in the resort settlements – not less than 1000 people.

(2) The order of introducing the change shall be:

1. (amend. SG 46/05) upon a proposal by the mayor of the mayoralty or the mayor of the municipality the municipal council, within two months, shall adopt a decision for implementing the change and send it to the regional governor;

2. the regional governor, within two weeks, shall send the decision of the municipal council, along with its statement, to the Council of Ministers;

3. the decision of the Council of Ministers for a change shall enter into force on the day of its promulgation in the State Gazette.

Art. 34. (new, SG 154/98) A change of the name of the settlement shall be carried out by an edict of the President of the Republic of Bulgaria.

Art. 35. (1) (new, SG 154/98) A change of the name of a settlement formation of national importance shall be introduced by an edict of the President of the Republic of Bulgaria.

(2) A change of the name of a settlement formation of local importance shall be introduced by a decision of the municipal council, as the decision shall enter into force upon its promulgation in the State Gazette.

(3) A settlement formation may obtain a status of a settlement under the conditions of art. 19 and by the order of art. 20.

Chapter five.

CATEGORISATION AND INFORMATIONAL SERVICES

Art. 36. (1) The municipalities, the quarters, the mayoralities and the settlements shall be categorised by criteria and indices determined by the Council of Ministers.

(2) (amend., SG 27/98) The categorisation shall be made by an order of the

Minister of Regional Development and Public Works, which shall be promulgated in the State Gazette.

Art. 37. (1) (amend., SG 27/98, prev. text of art. 37 - SG 154/98) The National Institute of Statistics, in coordination with the Ministry of Regional Development and Public Works, shall maintain a Single Classifier of the administrative-territorial and territorial units.

(2) (new, SG 154/98) The National Institute of Statistics, in coordination with the Ministry of Regional Development and Public Works, and the Ministry of Agriculture and Forests shall maintain a national register of the settlements. Each of the indicated administrative bodies shall provide gratuitously the information necessary for the maintenance of this register.

(3) (new, SG 154/98) The contents of the classifier and the register under the preceding paras, as well as the criteria and indices contained in them, shall be approved by the Council of Ministers at a proposal of the National Institute of Statistics and the interested administrative bodies.

Additional provisions

§ 1. In the context of this law:

1. "Merging" is an administrative-territorial change expressed in the uniting of the units under para 2 or 3, whereby a new unit of the same type is created, and the existing ones are closed down.

2. "Division" is an administrative-territorial change expressed in establishing two or more units under art. 2 or 3 from one unit of the same type, being closed down.

3. "Accession" is an administrative-territorial change where a unit under art. 2 or 3 is included in the existing unit, whereas the accessing unit is crossed out.

4. "Separation" is an administrative-territorial change where a part of the existing unit under art. 2 or 3 is separated into a new unit of the same type, whereas the existing one is preserved.

5. "Closing down" is a consequence of carrying out merging or division of the units under art. 2 or 3 and representing grounds for their crossing out in the Single Classifier under art. 37.

6. (new, SG 27/98) "General referendum" is the referendum held simultaneously in several settlements on a general issue.

7. (new, SG 154/98) Not admitted shall be administrative-territorial changes in the units under art. 2 and 3 of the law in the cases when these changes violate the conditions of their establishment.

8. (new, SG 154/98) "Land territory" is the entirety of land properties belonging to a settlement. The boundaries of the land territory shall be identified and determined by an order determined by a law.

§ 2. New procedures for changes in the administrative-territorial structure, carried out by the order of this law, may be introduced repeatedly not earlier than two years.

§ 3. (amend., SG 69/99) Elections for mayors of mayoralties shall be held simultaneously with the elections for mayors of municipalities and municipal counsellors only in these mayoralties which have been established by the date of promulgation of the edict of the President of the Republic of Bulgaria for setting local elections.

§ 4. (1) (prev. text of § 4 - SG 154/98; amend., SG 69/99) On establishing new municipalities and mayoralties the elections for bodies of independent government and mayors shall be held within three months from promulgation of the decision in the State Gazette. The municipalities and mayoralties, from whose territories new units of the same type are established, shall retain their existence and elections for local authorities shall not be held until the end of the current mandate.

(2) (new, SG 154/98; amend., SG 69/99) In cases when, after carrying out administrative-territorial changes of a respective type, carried out in the municipalities and mayoralties, the result is a reduction of their territory over 50 percent or of their population by over 30 percent as compared with their initial territory and population, they shall held new elections for local authorities within the terms under para 1.

§ 5. (revoked, SG 33/98)

§ 6. The region division of the territorial structural units and offices of the ministries and administrative bodies may not disrupt the boundaries of the administrative-territorial units, unless stipulated by a law.

Transitional and concluding provisions

§ 7. (1) (amend., SG 154/98) The existing, before the enactment of this law, municipalities, settlements and settlement formation shall retain their status. The capital municipality, in its administrative-territorial boundaries, shall retain its status as a region.

(2) (revoked, SG 69/99)

(3) The existing, before the enactment of this law, settlements of the kind of hamlets, shacks, railway stations, mining and industrial settlements shall acquire a status of villages.

§ 8. (revoked, SG 154/98)

§ 9. The provisions of art. 9 for establishing new municipalities shall apply from January 1, 1997.

§ 10. In the law for the territorial and urban development (prom., SG 29/73; corr., SG 32/73; amend. and suppl., SG 87/74, SG 3 and 102/77, SG 36/79, SG 3/80, SG 45/84, SG 19/85, SG 36/86, SG 14/88, SG 31/90; corr., SG 32/90; amend., SG 15/91) art. 34, para 2 is revoked.

§ 11. The fulfilment of the law is assigned to the Council of Ministers.

Transitional and concluding provisions (SG 27/98)

§ 4. The law shall enter into force on the day of its promulgation in the State Gazette.

Transitional and concluding provisions (SG 154/98)

§ 21. (1) The Council of Ministers, within one month from the promulgation of the edict of the President for determining the boundaries of the new regions and their administrative centres, shall determine the structure and the number of personnel of the regional administrations.

(2) The Minister of Finance, within the term under para 1, shall distribute the movable possessions and the monetary resources of the non-budget accounts of the previous regions to the new regional administrations.

(3) The incomplete files and archives of the previous regions shall be distributed within the term under para 1 to the new regional administrations.

(4) The pending court proceedings, parties to which have been the regional governors of the previous regions, shall be continued with the participation of the new regional governors according to their administrative-territorial competence.

§ 22. (1) The regional governors of the previous regions and their administrations shall continue the fulfilment of their functions until the appointment of each of the regional governors of the new regions.

(2) The legal terms of employment of the employees of the respective regional administrations shall be settled under the conditions of art. 328, para 1, item 1 of the Labour Code.

§ 23. The resources for support of the new regions shall be provided by the state budget for 1999, including through re-allocation of resources from the budget of the previous regions and of the budgets of the respective state bodies with decentralised structures on regional level.

§ 24. The procedures related to administrative-territorial changes having started before the enactment of this law shall be concluded by applying the provision of art. 8, para 1, item 1 before its amendment.

§ 25. The Council of Ministers, within three months from promulgation of the edict of the President for determining the boundaries of the new regions and their administrative centres, shall bring the existing regional division of the decentralised state structures in

compliance with the approved boundaries and territorial range of the new regions, unless a special law stipulates otherwise.

§ 26. The Council of Ministers shall promulgate in the State Gazette, by June 30, 1999, a list of the settlement formation of national importance.

§ 27. The Council of Ministers shall approve, by June 30, 1999, the contents of the classifier and the register of the settlements under art. 37.

Transitional and concluding provisions (SG 69/99)

§ 45. Within three months from the enactment of this law the municipal councils shall adopt a decision for bringing the administrative-territorial structure of the municipalities in compliance with the law. Until the adoption of the decision of the municipal council the mayoralties which do not meet the requirements of art. 16, item 1 of the Law for the administrative and territorial structure of the Republic of Bulgaria by the moment of the enactment of this law shall not hold elections for mayor of mayoralty.

Transitional and concluding provisions (SG 67/03)

§ 2. (1) (amend., SG 80/03) Settlements which, before the date of enactment of this law, have lost their status of mayoralty, and they have not been included in other mayoralties, if by September 15, 2003, meet the requirements of art. 16, item 1 of the law, and elections of mayors of mayoralties are held simultaneously with the local elections.

(2) (amend., SG 80/03) Two or more settlements which, before the date of enactment of this law, have been included in one mayoralty which has lost its status, and the settlements have not been included in other mayoralties by September 15, 2003 shall meet the requirements of art. 16, item 1 of the law, and they shall hold elections for mayor of the mayoralty simultaneously with the local elections.