

## PENAL CODE

*Prom. SG. 26/2 Apr 1968, corr. SG. 29/12 Apr 1968, amend. SG. 92/28 Nov 1969, amend. SG. 26/30 Mar 1973, amend. SG. 27/3 Apr 1973, amend. SG. 89/15 Nov 1974, amend. SG. 95/12 Dec 1975, amend. SG. 3/11 Jan 1977, amend. SG. 54/11 Jul 1978, amend. SG. 89/9 Nov 1979, amend. SG. 28/9 Apr 1982, corr. SG. 31/20 Apr 1982, amend. SG. 44/5 Jun 1984, amend. SG. 41/28 May 1985, amend. SG. 79/11 Oct 1985, corr. SG. 80/15 Oct 1985, amend. SG. 89/18 Nov 1986, corr. SG. 90/21 Nov 1986, amend. SG. 37/16 May 1989, amend. SG. 91/24 Nov 1989, amend. SG. 99/22 Dec 1989, amend. SG. 10/2 Feb 1990, amend. SG. 31/17 Apr 1990, amend. SG. 81/9 Oct 1990, amend. SG. 1/4 Jan 1991, amend. SG. 86/18 Oct 1991, corr. SG. 90/1 Nov 1991, amend. SG. 105/19 Dec 1991, suppl. SG. 54/3 Jul 1992, amend. SG. 10/5 Feb 1993, amend. SG. 50/1 Jun 1995, amend. SG. 97/3 Nov 1995, amend. SG. 102/21 Nov 1995, amend. SG. 107/17 Dec 1996, amend. SG. 62/5 Aug 1997, amend. SG. 85/26 Sep 1997, amend. SG. 120/16 Dec 1997, suppl. SG. 83/21 Jul 1998, amend. SG. 85/24 Jul 1998, suppl. SG. 132/10 Nov 1998, amend. SG. 133/11 Nov 1998, amend. SG. 153/23 Dec 1998, amend. SG. 7/26 Jan 1999, amend. SG. 51/4 Jun 1999, amend. SG. 81/14 Sep 1999, amend. SG. 21/17 Mar 2000, amend. SG. 51/23 Jun 2000, amend. SG. 98/1 Dec 2000, suppl. SG. 41/24 Apr 2001, amend. SG. 101/23 Nov 2001, amend. SG. 45/30 Apr 2002, amend. SG. 92/27 Sep 2002, amend. SG. 26/30 Mar 2004, amend. SG. 103/23 Nov 2004, amend. SG. 24/22 Mar 2005, amend. SG. 43/20 May 2005, amend. SG. 76/20 Sep 2005, amend. SG. 86/28 Oct 2005, amend. SG. 88/4 Nov 2005, amend. SG. 59/21 Jul 2006, amend. SG. 75/12 Sep 2006, amend. SG. 102/19 Dec 2006, amend. SG. 38/11 May 2007, amend. SG. 57/13 Jul 2007, amend. SG. 64/7 Aug 2007, amend. SG. 85/23 Oct 2007, amend. SG. 89/6 Nov 2007, amend. SG. 94/16 Nov 2007, amend. SG. 19/22 Feb 2008, amend. SG. 67/29 Jul 2008, amend. SG. 102/28 Nov 2008, amend. SG. 12/13 Feb 2009, amend. SG. 23/27 Mar 2009, amend. SG. 27/10 Apr 2009, amend. SG. 32/28 Apr 2009, amend. SG. 47/23 Jun 2009, amend. SG. 80/9 Oct 2009, amend. SG. 93/24 Nov 2009, amend. SG. 102/22 Dec 2009, amend. SG. 26/6 Apr 2010, amend. SG. 32/27 Apr 2010, amend. SG. 33/26 Apr 2011, amend. SG. 60/5 Aug 2011, amend. SG. 19/6 Mar 2012, amend. SG. 20/9 Mar 2012, amend. SG. 60/7 Aug 2012, amend. SG. 17/21 Feb 2013, suppl. SG. 61/9 Jul 2013, amend. SG. 84/27 Sep 2013, amend. SG. 19/5 Mar 2014, amend. SG. 53/27 Jun 2014, amend. SG. 107/24 Dec 2014, amend. SG. 14/20 Feb 2015, amend. and suppl. SG. 24/31 Mar 2015, suppl. SG. 41/5 Jun 2015, amend. and suppl. SG. 74/26 Sep 2015, amend. SG. 79/13 Oct 2015, suppl. SG. 102/29 Dec 2015, amend. SG. 32/22 Apr 2016, suppl. SG. 47/21 Jun 2016, amend. SG. 83/21 Oct 2016, amend. and suppl. SG. 95/29 Nov 2016, amend. SG. 13/7 Feb 2017, suppl. SG. 54/5 Jul 2017, amend. SG. 85/24 Oct 2017, amend. and suppl. SG. 101/19 Dec 2017, amend. SG. 55/3 Jul 2018, suppl. SG. 1/3 Jan 2019, amend. and suppl. SG. 7/22 Jan 2019, amend. and suppl. SG. 16/22 Feb 2019, amend. and suppl. SG. 83/22 Oct 2019, amend. SG. 13/14 Feb 2020, amend. and suppl. SG. 23/14 Mar 2020, amend. and suppl. SG. 28/24 Mar 2020, amend. SG. 44/13 May 2020, suppl. SG. 88/13 Oct 2020, amend. and suppl. SG. 103/4 Dec 2020, suppl. SG. 108/22 Dec 2020, amend. SG. 9/2 Feb 2021, amend. SG. 84/8 Oct 2021, amend. and suppl. SG. 53/8 Jul 2022, amend. SG. 79/4 Oct 2022, amend. SG. 10/31 Jan 2023, amend. and suppl. SG. 67/4 Aug 2023*

## GENERAL

**Chapter one.**  
**OBJECTIVE AND SCOPE OF THE PENAL CODE**

**Section I.**  
**Objective of the Penal Code**

Art. 1. (1) (Amend. - SG 1/91) The Penal Code has the objective of defending against criminal encroachment on the personality and the rights of the citizens and the entire legal order established in the country.

(2) For the purposes of achieving this objective, the Penal Code determines which publicly dangerous acts are crime and what penalty shall be imposed on them, and establishes the cases when, instead of punishment, measures with social impact and educational purpose can be imposed.

**Section II.**  
**Scope of the Penal Code**

Art. 2. (1) Applied for each crime shall be the law which has been in force at the time of the crime's perpetration.

(2) If, by the time of entry into force of the sentence, different laws have been adopted, applied shall be the law which is most favourable to the perpetrator.

Art. 3. (1) The Penal Code shall apply for every crime committed on the territory of the Republic of Bulgaria.

(2) The issue with the liability of foreigners enjoying immunity with respect to the criminal jurisdiction of the Republic of Bulgaria shall be resolved in accordance with the rules of international law, which our country has adopted.

Art. 4. (1) The Penal Code shall also apply to the Bulgarian citizens for the crimes committed by them abroad.

(2) (Amend. - SG 75/06, in force from 13.10.2006) A citizen of the Republic of Bulgaria cannot be delivered to other state or international court for the purposes of punitive prosecution, unless this is provided in international agreement, which has been ratified, promulgated and entered into force for the Republic of Bulgaria.

Art. 5. The Penal Code shall also apply for foreigners who have committed crime of general nature abroad, affecting the interests of the Republic of Bulgaria or of a Bulgarian citizen.

Art. 6. (1) The Penal Code shall also apply regarding foreigners who have committed crime abroad against the peace and mankind, thus affecting the interests of another country or foreign citizens.

(2) The Penal Code shall also apply for other crimes committed by foreigners abroad wherever stipulated by an international agreement party to which is the Republic of Bulgaria.

Art. 7. In the cases of Art. 4 and 5, the protective custody and the sustained conviction abroad shall be deducted. When the two penalties are heterogeneous, the sustained conviction abroad shall be taken into consideration in determining the penalty by the court.

Art. 8. (1) (Prev. text of Art. 8 " SG 33/11, in force from 27.05.2011) The verdict of a foreign court for a crime, for which the Bulgarian Penal Code applies, shall be taken into consideration in the cases established by an international agreement, party to which is the Republic of Bulgaria.

(2) (New " SG 33/11, in force from 27.05.2011) An effective sentence delivered in a in another Member State of the European Union regarding a deed that is a crime according to the Bulgarian Penal Code shall be taken into account in every penal proceedings initiated against the said person in the Republic of Bulgaria.

## **Chapter two. CRIME**

### **Section I. General**

Art. 9. (1) Crime is the socially dangerous act (activity or inactivity) which has been committed out of delinquency and declared by the law as punishable.

(2) Not criminal is the act which, though formally contains the signs of a crime stipulated by the law, due to its minor importance is not socially dangerous or its social danger is obviously negligible.

Art. 10. (Amend. - SG 50/95) Socially dangerous is the act which threatens or harms the personality, the rights of the citizens, the property, the legal order in the Republic of Bulgaria established by the Constitution or other interests defended by the law.

Art. 11. (1) The socially dangerous act shall be considered delinquent when it is intentional or negligent.

(2) The act shall be considered deliberate, if the perpetrator has been aware of its socially dangerous nature, has foreseen its socially dangerous consequences and has wanted or admitted the occurrence of these consequences.

(3) The act shall be considered negligent when the perpetrator has not foreseen the occurrence of socially dangerous consequences, but was obliged to and could have foreseen them, or when he/she has foreseen the occurrence of these consequences but intended to prevent them.

(4) The negligent acts are punishable only in the cases stipulated by the law.

(5) When the law qualifies the act as a more serious crime due to the occurrence of additional socially dangerous consequences, if no deliberation is required for these consequences, the perpetrator shall be charged for the more serious crime if they have acted incautiously with regard to them.

Art. 12. (1) Not considered socially dangerous shall be the act of justifiable defence - in order to defend against an immediate illegal attack state or public interests, the personality or the rights of the defender or of somebody else by causing damage to the aggressor within the frames of the necessary limits.

(2) Considered shall be excess of the requirements of justifiable defence when the defence obviously does not correspond to the nature and the danger of the assault.

(3) (Amend. - SG 62/97; amend. - SG, 75/06, in force from 13.10.2006) There shall be no excess of the requirements of justifiable defence if the assault has been carried out through penetration by force or by burglary into a house.

(4) (Prev. Para. 3 - SG 62/97) (Amend. - SG 28/82) The perpetrator shall not be punished when he commits the act by exceeding the requirements of justifiable defence if this is due to scare or confusion.

Art. 12a. (1) (New - SG 62/97) Socially dangerous shall not be considered the causing of damages to a person who has committed crime during their detention for handing over to the bodies of the authority and prevention of the possibility of committing another crime, if there is no other way for them being detained and if during this detention abuse of the necessary legal measures has not been allowed.

(2) The necessary measure for detention of a person who has committed a crime shall be considered abused when there is an obvious discrepancy between the nature and the degree of the social danger of the crime committed by the detained person and the circumstances of the detention, as well as when obviously expressive damage has been caused to the person without any necessity. In these cases, criminal liability shall be born only in the cases of deliberately caused damage.

Art. 12b. (New " SG 32/10, in force from 28.05.2010) Socially dangerous shall not be considered any acts committed by persons acting as undercover officers within their competence determined in a Law.

Art. 13. (1) Socially dangerous is not the act committed by someone in case of paramount necessity - to save state or public interests, as well as his own or somebody else's personal or proprietary wealth from immediate danger, which the perpetrator could not have avoided in any other way, if the damages caused by the act are less considerable than the prevented.

(2) No paramount necessity exists when the very avoiding of the danger represents a crime.

Art. 13a. (New - SG 28/82) (1) Socially dangerous is not the act committed with justifiable economic risk - in order to achieve a substantial socially useful result or to

avoid considerable damages, if it does not contradict an explicit prohibition established by a normative act, corresponds to the modern scientific and technical achievements and experience, does not place in danger the life and the health of somebody else and the perpetrator has done everything depending on him for the prevention of the occurred harmful consequences.

(2) Taken into consideration, in resolving the issue whether the risk is justified, shall also be the correlation between the expected positive result and the possible negative consequences, as well as the probability of their occurrence.

Art. 14. (1) The unawareness of the actual circumstances belonging to the corpus delicti shall exclude intent regarding this crime.

(2) This provision also regards the negligent acts when the very unawareness of the actual circumstances itself is not due to negligence.

Art. 15. The act shall not be considered delinquent, if the perpetrator has not been obliged or could not have foreseen the occurrence of the socially dangerous consequences (occasional act).

Art. 16. The act shall not be considered delinquent if it has been committed in fulfilment of an illegitimate official order, given by the established order, if it does not suppose a crime obvious to the perpetrator.

Art. 16a. (1) (New " SG 84/13; prev. text of Art. 16a " SG 74/15) An act shall not be considered culpably committed where it has been committed by a person affected by human trafficking where he/she has been forced to do so in direct relation to his or her capacity as such.

(2) (New " SG 74/15) An act shall not be considered delinquent where it has been committed by a juvenile, who has been a victim of a crime under Art. 155, 156, 158a or Art. 188, Para 2, or by a juvenile used for the creation of a pornographic material, where he/she has been forced to act so in direct relation to his or her capacity as such.

## **Section II. Preparation and Attempt**

Art. 17. (1) Preparation is the provision of resources, finding accomplices and, in general, creation of conditions for committing the planned crime before its fulfilment.

(2) The preparation is punishable only in the cases stipulated by the law.

(3) The perpetrator shall not be punished when, by his own motives, he has given up the commission of the crime.

Art. 18. (1) The attempt is the started commission of a deliberate crime whereas the act has not been completed or, though completed, the social dangerous

consequences of this crime stipulated by the law or wanted by the perpetrator have not occurred.

(2) For an attempt the perpetrator shall be punished by the penalty stipulated for the committed crime, taking into consideration the degree of fulfilment of the intention and the reasons for which the crime has remained unfinished.

(3) The perpetrator shall not be punished for an attempt when, by his own motives:

- a) he has given up completing the commission of the crime or
- b) has prevented the occurrence of criminal consequences.

Art. 19. In the cases of art. 17, para 3 and art. 18, para 3, if the act in which the preparation or the attempt have been expressed, contains the signs of another crime, the perpetrator shall be liable for said crime.

### **Section III. Implication**

Art. 20. (1) Accomplices in a deliberate crime are: the perpetrators, the abettors and the accessories.

(2) Perpetrator is the one who participates in the very commission of the crime.

(3) Abettor is the one who has deliberately persuaded somebody else to commit the crime.

(4) Accessory is the one who has deliberately facilitated the commission of the crime through advice, explanations, promise to provide assistance after the act, removal of obstacles, providing resources or in any other way.

Art. 21. (1) All accomplices shall be punished by the penalty stipulated for the committed crime, taking into consideration the nature and the degree of their participation.

(2) The abettor and the accessory shall be liable only for what they have deliberately abetted or helped the perpetrator.

(3) When due to a certain personal quality or relation of the perpetrator the law proclaims the act as a crime, liable for this crime shall also be the abettor and the accessory, for whom these circumstances are not present.

(4) The particular circumstances due to which the law excludes, reduces or increases the penalty for some of the accomplices shall not be taken into consideration regarding the rest of the accomplices with respect of whom these circumstances are not present.

Art. 22. (1) The abettor and the accessory shall not be punished if, by their own motives, they give up further participation and impede the commission of the act or prevent the occurrence of the criminal consequences.

(2) Applied in these cases shall be the provision of Art. 19 respectively.

## **Section IV. Multiple Crimes**

Art. 23. (1) If one act has been an instrument of several crimes or if one person has committed several individual crimes before a sentence has been enacted for any of them, the court, upon determining the penalty for each crime individually, shall impose the most severe of them.

(2) (Amend. - SG 92/02, amend. - SG 103/04, in force from 01.01.2005) The imposed penalties of public reprimand and revocation of rights under Art. 37, para 1, item 6, and 9 shall be added to the determined most severe penalty. If revocation of equal rights is ruled, the one with the longest term shall be imposed.

(3) When penalties are different in kind and one of them is a fine or confiscation, the court may add it entirely or partially to the most severe penalty.

Art. 24. When the imposed penalties are of the same kind, the court may increase the determined aggregate most severe penalty by no more than one half, but the thus increased penalty cannot exceed the sum of the individual penalties or the maximal size stipulated for the respective kind of penalty.

Art. 25. (1) The provisions of Art. 23 and 24 shall also apply when the person is convicted by individual sentences.

(2) In these cases, if the penalty for any of the sentences has been partially or fully incurred, it shall be deducted if it is of the same kind as the imposed aggregate penalty to be incurred.

(3) (Amend. - SG 103/04) The incurred penalty probation shall be deducted in full from the imprisonment and vice versa whereby two days of probation shall be recognized for one day of imprisonment.

(4) (New - SG 28/82) When, for one or more of the sentences, the person has been exempt from serving the imposed penalty in the order of Art. 64, para 1 or Art. 66, the question of serving the aggregate penalty shall be decided at the time of its determination.

Art. 26. (Amend. - SG 62/97; amend. - SG 92/02) (1) The provisions of Art. 23 - 25 shall not apply in cases of continuing crime - when two or more acts which represent corpus delicti of one and the same crime, having been committed during periods of time of no significant length, in one and the same circumstances and with similarity of guilt, whereby the subsequent ones are, from objective and subjective point of view, a continuation of the preceding.

(2) For continued crime, the offender shall be punished with respect to the acts included in it, taken in their totality and the total criminal results caused by them.

(3) Where the individual acts represent different corpus delicti the continued crime shall be punished regarding the more severe of them, taking into consideration the importance of the acts committed in qualifying circumstances and of the qualifying circumstances themselves for the entire criminal activity.

(4) Where the qualifying circumstances have no particular effect on the severity of the entire criminal activity, the latter shall be prosecuted by the more lenient corpus delicti, taking into consideration the qualifying circumstances in determining the penalty.

(5) Where some of the acts have been completed and others represent an attempt and the completed acts do not have a significant effect on the nature of the entire criminal activity, penalty as for an attempt shall be imposed on the offender.

(6) The provisions of this Article shall not apply regarding a crime against the personality of individual citizens and for crime committed after the introduction of the bill of indictment in court, as well as for crime committed before the introduction of the bill of indictment, but not included in it.

Art. 27. (1) (Amend. - SG 28/82, in force from 01.07.1982) When a person commits a crime after being sentenced to imprisonment with an effective sentence but before incurring this penalty, the court shall add to the penalty not served the penalty under the second sentence - entirely or partially - if it is imprisonment. The determined aggregate penalty cannot be less than the penalty under the second sentence.

(2) (Amend. - SG 28/82, in force from 01.07.1982) The penalty under the second sentence shall be added in full if it is imprisonment for more than five years or if it is imposed for a crime repeatedly committed or representing a dangerous recidivism.

(3) When the person has committed a crime after serving the sentence under the previous conviction, the imposed penalty for this offence shall be served in full.

Art. 28. (1) The penalty stipulated by the special part of this Code for a repeated crime shall be imposed if the perpetrator has committed a crime after having been convicted with an effective sentence for another such crime.

(2) This provision shall also apply with respect to equal in kind crimes against the public and personal property.

Art. 29. (1) The more severe penalties stipulated by the special part of this Code for crimes representing dangerous recidivism shall be imposed when the perpetrator:

a) (amend. - SG 28/82, in force from 01.07.1982) commits the crime after having been sentenced for a serious deliberate crime to imprisonment for no less than one year, whose fulfilment has not been postponed according to art. 66;

b) (amend. - SG 28/82, in force from 01.07.1982) commits the crime after having been sentenced two or three times to imprisonment for deliberate crimes of general nature if the fulfilment of the penalty for at least one of them has not been postponed according to art. 66;

c) (deleted - SG 28/82, in force from 01.07.1982)

(2) The crimes committed by the perpetrator as juvenile shall not be taken into consideration in applying the provisions of the preceding para.

(3) (New - SG 95/75) When there is a provision for a crime of simultaneous corpus delicti of repeated commission and for dangerous recidivism and the act represents the quality of the two corpus delicti the provision for the dangerous recidivism shall apply.

Art. 30. (1) The rules of Art. 28 and 29 shall not apply if five years have elapsed from serving the sentence under the previous convictions. The rehabilitation within this period shall not exclude their application.

(2) (New - SG 28/82, in force from 01.07.1982) For probationary sentence and probationary release ahead of term, the period under Para. 1 shall begin on the day, on which the probation period has elapsed.

### **Chapter three.**

## **CRIMINALLY LIABLE PERSONS**

Art. 31. (1) Criminally liable is the person of age - who has accomplished 18 years of age, who in a state of sanity commits a crime.

(2) A juvenile who has accomplished 14 years of age but who has not accomplished 18 years of age shall be criminally liable, if said person could have realised the quality and the importance of the act and handle his conduct.

(3) (Amend. - SG 107/96) The juveniles whose acts cannot be imputed shall be accommodated by a court decision in a corrective boarding school or in other suitable establishment if so required by the circumstances of the case.

(4) The special rules stipulated by this Code shall apply with respect to criminal liability of juveniles.

Art. 32. (1) A minor who has not accomplished 14 years of age shall not be criminally liable.

(2) With regard to juveniles who have committed socially dangerous acts, appropriate corrective measures may be applied.

Art. 33. (1) Criminally liable shall not be the person who acts in a state of insanity, where due to a mental underdevelopment, or continuous or short-term mental disorder, could not have understood the quality or the importance of the act or to handle their conduct.

(2) (Amend. - SG 95/75) Penalty shall not be imposed to a person who has committed a crime when, until the passing of the sentence, he lapses into a mental disorder, as a result of which he cannot realise the quality or the importance of his conduct or handle it. Such a person shall be subject to punishment if he recovers.

Art. 34. Respective compulsory medical measures can be applied in the cases stipulated by this Code regarding the persons under the preceding Art.

### **Chapter four.**

## **PUNISHMENT**

### **Section I.**

#### **General**

Art. 35. (1) Criminal liability is personal.  
(2) Punishment can be imposed only on a person who has committed a crime stipulated by law.  
(3) The punishment shall be adequate to the crime.  
(4) Punishment for a crime shall be imposed only by the established courts.

Art. 36. (1) The penalty shall be imposed with the purpose of: 1. reform the convict toward observing the laws and the good morals, 2. preventive influence on him and eliminate the possibility of his commission of other crime and 3. instructive and warning effect on the other members of the society.

(2) The penalty cannot aim at causing physical suffering or humiliation of the human dignity.

(3) (New - SG 153/98) There is no death penalty in the Republic of Bulgaria.

Art. 37. (1) The penalties are:

1. (new - SG 50/95) life imprisonment;
- 1a. (prev. item 1 - SG 50/95) imprisonment;
2. (new - SG 92/02) probation;
- 2a. (revoked " SG 103/04)
3. confiscation of available property;
4. fine;
5. (revoked - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force - SG 26/04, in force from 01.01.2004)
6. revocation of the right to hold a particular state or public office;
7. revocation of the right to practice a particular profession or activity;
8. (revoked, SG 92/02, amend. regarding the entry into force - SG 26/04, in force from 01.01.2004)
9. revocation of the right to received orders, honorary titles and insignia of honour;
10. revocation of military rank;
11. public reprimand.

(2) (Amend. - SG 153/98) Life imprisonment without parole as a temporary and exceptional measure shall be provided for the most serious crimes threatening the basis of the Republic, as well as for other dangerous deliberate crimes.

## **Section II. Kinds of Penalties**

Art. 38. (Amend. - SG 153/98) (1) The life imprisonment without parole stipulated by the special part for a particular kind of crime shall be imposed only if the specific crime is exceptionally severe and the goals stipulated by Art. 36 cannot be achieved by a lesser penalty.

(2) The life imprisonment without parole cannot be imposed on a person who, at the time of committing the crime has not accomplished twenty years of age and, regarding the military men, the same as in war time - eighteen years of age. The penalty

life imprisonment without parole cannot also be imposed on a woman who was pregnant at the time of commission of the crime or at the time of enacting the sentence.

Art. 38a. (New - SG 50/95) (1) Life imprisonment is a compulsory isolation of the convict until the end of their life in places to incur the penalty imprisonment.

(2) Life imprisonment shall be imposed when the committed crime is exceptionally serious.

(3) Life imprisonment can be replaced by imprisonment for a period of 30 years if the convict has incurred no less than twenty years.

(4) Working days shall not be recognized during the time of incurring life imprisonment.

(5) The incurred penalty life imprisonment shall be considered imprisonment.

Art. 39. (1) (Amend. - SG 28/82, SG 89/86) The imprisonment can be from three months to twenty years.

(2) (Suppl. - SG 95/75; revoked, prev. para 3; amend., SG 89/86; amend. - SG 50/95; amend. - SG 153/98) As an exception, the imprisonment can be for a period of up to thirty years for replacement of life imprisonment for multiple crimes according to Art. 24 and 27, para 1, as well as for some particularly serious deliberate crimes in the cases specially indicated in the special part of this Code.

Art. 40. (Amend. - SG 28/82; amend. - SG, 75/06, in force from 13.10.2006, amend. - SG 32/16) The penalty imprisonment shall be incurred in prisons, as well as in reformatories and prison hostels to them.

(2) (Amend. - SG 89/86; Revoked, SG 92/02)

(3) Special care shall be taken for the young persons of age.

(4) (Suppl. - SG, 75/06, in force from 13.10.2006) Respective medical care shall be taken for convicted with serious psychopathic disease or those suffering from mental disorder, which does not exclude sanity, as well as with regards to sentenced persons, addicted to narcotic substances.

Art. 41. (1) The incurring of penalty imprisonment shall be accompanied by a suitable, respectively paid social useful labour, which shall aim at the reforming of the convicted, as well as the creation and improvement of their professional qualification.

(2) Applied, along with that, shall be other measures of reforming and education.

(3) The expended labour shall be considered in reducing the term of punishment, as two working days shall be considered as three days of imprisonment.

(4) (Amend. - SG 28/82; amend., SG 89/86) If the convicted person, while incurring imprisonment, systematically avoids socially useful labour, commits a deliberate crime or serious offences of the established order, thus showing that he cannot be reformed, the court can revoke entirely or partially the recognition of the working days of the last two years before the subsequent offence.

(5) (Revoked - prev. para 6 - SG 89/86) The order and the way of incurring imprisonment, including the special care under para 3 of art. 40, the payment of the labour of the convicted and their employment after their release shall be settled by a law.

(6) (Amend., SG 89/74; prev. para 7 - SG 89/86; amend. - SG 27/09, in force from 01.06.2009, amend. - SG 13/17, in force from 07.02.2017) The initial regime of imprisonment shall be determined by the court according to the provisions of this Code and the special law.

Art. 42. (1) In war time the court martial can postpone, until the end of the military activities, the fulfilment of the imposed imprisonment, sending the convicted to the acting army. The postponement of the fulfilment can be revoked if the convicted commits another crime.

(2) Upon proposal of the chief, the court can, entirely or partially, release the convicted sent to the acting army by the order of para 1 from serving the imposed penalty, if he proves to be a good defender of the fatherland.

(3) The court may, without a proposal of the chief, exempt completely or partially, from serving the imposed penalty the discharged from the acting army due to disability.

Art. 42a. (New - SG 92/02) (1) (amend. SG 103/04, amend. - SG 103/04, in force from 01.01.2005) Probation is a totality of measures for control and impact without imprisonment, which are imposed together or separately.

(2) (Amend. - SG 103/04, in force from 01.01.2005) The probation measures shall be:

1. obligatory registration at the present address;
2. obligatory periodical meetings with a probation employee;
3. restrictions of the free movement;
4. (amend. - SG 75/06, in force from 13.10.2006) inclusion in courses for professional qualification, programmes for public influence;
5. correctional labour;
6. gratuitous work in favour of the society.

(3) (Amend. - SG 103/04, in force from 01.01.2005) The probation measures shall be with duration:

1. from 6 months to three years “ for the measures of para 2, items 1 “ 4;
2. from three months to two years “ for the correctional labour;
3. from 100 to 300 hours for not more than three consecutive years “ for the gratuitous labour in favour of the society.

(4) (Amend. - SG 103/04, in force from 01.01.2005) The measures of para 2, items 1 and 2 shall be imposed obligatory to all sentenced to probation and the measures of para 2, items 5 and 6 shall not be imposed to under-aged persons, not rounded 16 years of age.

(5) Probation shall be carried out by an order determined by a law.

Art. 42b. (New “ SG 103/04) (1) (Suppl. - SG 27/09, in force from 01.06.2009) The probation measure obligatory registration at the present address shall be

appearing and signing by the sentenced before the probation employee or official, determined by him, according to the schedule specified by the court at least twice per week.

(2) The probation measure obligatory periodical meetings with the probation employee shall be conducted at the probation office on which territory is the present address of the sentenced. As exception they can be conducted at another appropriate place, determined by the probation employee, if important reasons impose this. The meetings shall be planned or extraordinary upon request by the probation employee or the sentenced.

(3) The probation measure restrictions in the free movement shall be imposition of one or several of the following prohibitions for:

1. visiting of places, regions and establishments, precisely defined in the sentence;

2. leaving of the settlement for more than 24 hours without permission by the probation employee or the prosecutor;

3. leaving of the abode inhabited for defined period of the day and night.

(4) (Amend. - SG 75/06, in force from 13.10.2006) The probation measure inclusion in courses for professional qualification, programmes for public influence shall be directed to labour integration or establishing of social habits and skills for lawful behaviour of the sentenced.

(5) The probation measure gratuitous work shall be work benefitting society without restricting the liberty of the sentenced.

Art. 43. (Amend. - SG 103/04, amend. " SG 103/04, in force from 01.01.2005) (1) The probation measure corrective labour shall be fulfilled at the working place of the sentenced and include deductions from his remuneration from 10 to 25 percent in favour of the state. The time during which the measure is incurred shall not be considered as length of service.

(2) When the sentenced remains without work the court shall substitute the remainder of the correctional labour with gratuitous work in favour of the society, for one day of the remainder being defined one hour gratuitous labour. In this case the term of the gratuitous labour may also be below the minimum of Art. 42a, para 3, item 3.

(3) The provision of Para. 2 shall be applied even when the sentenced leaves the working place where he incurs the penalty and in one-month term does not notify the probation officer about his new working place.

(4) The time during which deductions under para 1 are not paid shall not be considered as execution of the probation measure correctional labour.

Art. 43a. (New " SG 103/04, in force from 01.01.2005) If the sentenced without valid reason does not fulfil the imposed probation measure, upon proposal by the respective probation council the court can:

1. impose other probation measure;

2. (suppl. - SG 27/09, in force from 01.06.2009) substitute entirely or partially the probation with imprisonment where two days of probation shall be substituted by one day of imprisonment; in these cases the term of imprisonment can also be below the minimum of Art. 39, para 1.

Art. 44. (1) Confiscation in a compulsory and ex gratia requisition of a property or a part of it, of definite property of the convict or parts of such properties in favour of the state.

(2) (Revoked - SG 62/97)

Art. 45. (1) Confiscation shall not be ruled if the convict does not possess available property which can be subject to this penalty.

(2) Subject to confiscation shall not be the belongings for personal or home using necessary to the convicted or his family, the objects necessary for practising his profession, contained in a list adopted by the Council of Ministers, as well as the resources for support of his family for a period of one year.

Art. 46. In case of confiscation the state shall be liable up to the value of the confiscated property for recovery of the damages caused by the crime, and subsequently for the liabilities of the convicted occurred before laying the indictment when the remaining available property is not enough for the recovery of the damages and for payment of the liabilities.

Art. 47. (1) (Amend. - SG 28/82; SG 10/93; Amend., SG 92/02) The fine shall be complied with the property status, with the income of the family and the family liabilities of the perpetrator and the provisions of Chapter Five shall apply in determining its size. It cannot be less than 100 levs.

(2) The fine shall be collected from the property left of the convicted, even after his death, if the conviction has been enacted before that.

(3) The chattel not subject to confiscation cannot be sold for compulsory collection of the fine.

Art. 48. (Revoked, SG 92/02, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004)

Art. 49. (1) (Amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004) The penalties of deprivation of rights under Art. 37, para 1 item 6 and 7, when imposed individually or together with another penalty unrelated to imprisonment, shall be ruled for a definite term of up to three years within the range stipulated by the special part of this Code.

(2) (Amend. - SG 54/78) When the deprivation of such a right is imposed along with imprisonment its term can exceed the term of the latter by no more than three years unless it is provided otherwise by the special part of this Code.

(3) The term shall begin from the enactment of the verdict but the convicted shall not be able to exercise the rights of which he has been deprived before the expiration of the term of imprisonment.

(4) The term of deprivation of rights shall be reduced by such an extent of time by which the term of imprisonment has been reduced due to pardon, work or deduction of the preliminary detention.

(5) (Amend. - SG 153/98) The sentenced to life imprisonment without parole shall be deprived of the rights indicated by the sentence forever.

Art. 50. (1) The penalties revocation of the right to hold a particular state or public post and revocation of the right to practice a particular profession or activity shall be imposed in the cases stipulated by the law if holding the respective position or practising the respective profession or activity is incompatible with the nature of the committed crime.

(2) (New, SG 28/82; Revoked, SG 92/02, amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004)

(3) (Prev., Para. 2 - SG 28/82) The penalties revocation of the right of received orders, honorary titles and distinction and revocation of military rank can only be imposed for conviction for severe crime.

Art. 51. Upon expiration of the term the convicted can exercise again the rights of which he has been deprived by the conviction. This does not regard the rights under Art. 37, item 9 and 10 which can be acquired again only by the established order.

Art. 52. The penalty public reprimand shall consist in a public reprimand of the offender which shall be announced before the respective team, through the media or in other suitable way according to the instructions of the sentence.

Art. 53. (1) (Previous text of Art. 53 â€“ SG 28/1982, in force from 01.07.1982) Regardless of the criminal liability, seized in favour of the state shall be:

a) (suppl. â€“ SG 7/19) the chattel belonging to the delinquent and having been intended or used for committing a deliberate crime. When the chattel is missing or expropriated, its equivalence shall be awarded;

b) the chattel belonging to the delinquent and which have been subject to deliberate crime - in the cases explicitly stipulated by the special part of this Code.

(2) (New - SG 28/82, in force from 01.07.1982) Seized in favour of the state shall also be:

a) the chattel, object or means of the crime the possession of which is prohibited, and

b) (amend. â€“ SG 7/19) the direct and indirect proceeds acquired through the criminal offense, if it is not subject to return or reimbursement; where the proceeds is missing or expropriated, its equivalence shall be awarded.

(3) (New â€“ SG 7/19) Within the meaning of Para. 2, letter "b":

1. direct proceeds shall be any economic advantage that has derived as an immediate consequence from the criminal offense;

2. indirect proceeds shall be any economic advantage that has derived as a result from the disposal of the direct proceeds, as well as any property acquired as a result of direct proceeds being subsequently converted, fully or in part, including when that has been intermingled with property acquired from legitimate sources; subject to seizure shall be the property, up to the assessed value of the included direct proceeds together with the

occurred increases in the assets, if directly related to the disposal or conversion of the direct proceeds and the inclusion thereof in the property.

## **Chapter five.**

### **DETERMINATION OF THE PENALTY**

Art. 54. (1) The court shall determine the penalty within the scope stipulated by the law for the committed crime, guided by the provisions of the general part of this Code and taking into consideration:

the degree of the social danger from the act of the perpetrator,  
the motives of the act and the other extenuating and aggravating circumstances.

(2) The mitigating circumstances shall substantiate the imposing of a more lenient and the aggravating - of a more severe penalty.

Art. 55. (1) For exceptional or multiple extenuating circumstances, when even the most lenient penalty stipulated by the law proves to be unduly severe, the court shall:

1. determine the penalty under the lowest limit;

2. replace:

a) (amend. - SG 153/98) the life imprisonment by imprisonment from fifteen to twenty years;

b) (amend. - SG 28/82; SG 10/93; SG 62/97; suppl. - SG 92/02, amend. - SG 103/04, in force from 01.01.2005) the imprisonment, when the lowest limit is not provided - by probation, and for the juveniles - by probation or public reprimand;

c) (amend. - SG 28/82; SG 10/93; SG 62/97, amend. SG 103/04, in force from 01.01.2005) the probation - by a fine of one hundred to five hundred levs.

(2) In the cases under item 1 of the preceding para, when the penalty is a fine, the court can go below the lowest limit by no more than one second.

(3) In these cases, the court may not impose the more lenient penalty stipulated by the law along with the imprisonment penalty.

(4) (Revoked - SG 28/82, in force from 01.07.1982)

Art. 56. Extenuating and aggravating circumstances shall not be those which are taken into consideration by the law in defining the respective crime.

Art. 57. (1) When the special part of this Code stipulates the option for a committed crime to be imposed one among two or more penalties, the court shall determine the most suitable in kind and size penalty, guided by the rules of the preceding articles.

(2) When the special part of this Code stipulates the option for a given crime to be imposed simultaneously two or more penalties, the court, guided by the rules of the preceding articles, shall determine the size of each of them in such a way that they, in their totality, should correspond to the objective under Art. 36.

Art. 58. The court can apply the provisions of Art. 55 in the following cases:

- a) for an attempt - due to unfinished crime, considering the circumstances under Art. 18, para 2;
- b) for aiding - when the degree of participation of the perpetrator in the crime is small.

Art. 58a. (New - SG 27/09; amend. " SG 26/10) (1) If a guilty verdict has been pronounced in the cases referred to in Art. 373, para 2 of the Penal Procedure Code, the court shall rule imprisonment according to the provisions of the General part of the present Code and reduced the imposed penalty by one third.

(2) In the cases referred to in Art. 57, para 1, where the court considers that life imprisonment without parole is the type of penalty that corresponds best to the committed crime, it shall not impose it, but replace it with imprisonment from twenty to thirty years.

(3) The court shall determine the amount of the imprisonment penalty within the frames of the lowest possible and the highest possible extent of the imprisonment penalty, fixed under the terms of para 2 and the one set out in the Special Provision of this Code.

(4) In those cases where the requirements under paras 1 through 3 and the terms of Art. 55 are both present, the court shall apply only Art. 55 if it is more favourable for the perpetrator.

(5) The rules set out in paras 1 through 4 shall not apply to the penalties as per Art. 37, para 1, items 2 through 11 set out in the Special Provision of this Code.

Art. 59. (1) (Amend. - SG 92/02, amend. SG 103/04; amend. - SG 27/09) The time during which the convicted has been detained or placed under home arrest shall be deducted in fulfilment of the imprisonment or probation as follows:

- 1. one day detention shall be equal to one day of imprisonment or to three days of probation;
- 2. two days of home arrest shall be equal to one day of imprisonment or to two days of probation.

(2) (New - SG 27/09) Detention in the sense of Para 1 shall mean, besides the detention as enforcement measure, also any other detention under the order of the Penal Procedure Code, the Ministry of Interior Act or another Act, related to a crime, for which the person was convicted or has been detained for execution of the penalty.

(3) (New - SG 28/82; prev. text of Para 02 - SG 27/09) The provision of the preceding para shall also apply if the convicted has been detained for charges of other crime the proceedings of which have been suspended or has ended by a verdict of acquittal if the provision of Art. 23, para 1 could be applied regarding the acts.

(4) (New - SG 28/82, amend. SG 103/04; prev. text of Para 03 - SG 27/09; suppl. - SG 95/16) Deducted in fulfilment of the deprivation of rights penalty under Art. 37, para 1, items 6 and 7 shall be the time during which the convicted has been deprived for the same act, by an administrative order or as set out in Art. 69a of the Penal Procedure Code, of the possibility of exercising these rights.

## **Chapter six.**

### **SPECIAL RULES FOR JUVENILES**

Art. 60. The penalty for juveniles shall be imposed with the priority objective of their reformation and preparation for socially useful labour.

Art. 61. (1) (Amend. - SG 89/86; amend. - SG, 75/06, in force from 13.10.2006) Regarding a juvenile who commits a crime due to aberration or recklessness, which does not represent a great social danger, the prosecutor may decide not to institute or discontinue the instituted pre-trial proceedings, and the court may decide on no committal to trial or no conviction if corrective measures can be successfully applied according to the Measures against Delinquency of Minors and Juveniles Act.

(2) In these cases the court itself can impose a corrective measure informing about that the local commission for juvenile delinquency or send to it the file regarding the imposing of such a measure.

(3) (Amend. - SG 89/86; amend. - SG 107/96; amend. - SG 26/04; amend. - SG 75/06, in force from 13.10.2006) If the prosecutor decides not to institute pre-trial proceedings or abandon the instituted one, he shall send the file to the commission for imposing corrective measure.

Art. 62. Only the following punishments can be imposed on juveniles:

1. imprisonment;
  - 1a. (new - SG 92/02, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, amend. SG 103/04, in force from 01.01.2005) probation;
2. public reprimand;
3. (amend. - SG 103/04, in force from 01.01.2005) deprivation of right to practice a particular profession or activity according to Art. 37, para 1, item 7.

Art. 63. (1) The penalties stipulated for juveniles by the special part of this Code shall be replaced:

1. (suppl. - SG 50/95; amend. - SG 153/98) the life imprisonment without parole and the life imprisonment - by imprisonment from three to ten years;
2. the imprisonment of more than ten years - by imprisonment of up to five years;
3. the imprisonment of more than five years - by imprisonment of up to three years;
4. the imprisonment of up to five years including - by imprisonment of up to two years, but no longer than the stipulated by the law;
5. (amend. - SG 92/02, amend. - SG 103/04; amend. - SG 75/06, in force from 13.10.2006) the fine - by a public reprimand;
6. (new - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004) the probation for those under 16 years of age - by a public reprimand.

(2) (Amend. - SG 28/82, in force from 01.07.1982) Penalties stipulated by the special part of this Code for the juveniles who have accomplished sixteen years of age shall be replaced:

1. (suppl. - SG 50/95; amend. - SG 153/98) the life imprisonment without parole and the life imprisonment and imprisonment of more than fifteen years - by imprisonment from five to twelve years;

2. the imprisonment of more than ten years - by imprisonment of two to eight years.

(3) (Amend. - SG 28/82, in force from 01.07.1982) Within the limits under the preceding paras, the court shall determine the penalty according to the rules of Chapter Five.

Art. 64. (1) (Amend. - SG 107/96) When the determined penalty is imprisonment of less than one year and its fulfilment has not been postponed under Art. 66, the juvenile shall be exempt from its incurring and the court shall accommodate him/her in a corrective boarding school or shall impose another corrective measure stipulated by the Measures Against Delinquency of Minors and Juveniles Act.

(2) (Amend. - SG 107/96) Upon a proposal of the prosecutor or of the respective local commission for fighting juvenile delinquency the court can, after rendering the verdict, replace the accommodation in a corrective school by another corrective measure.

(3) The rule of Para. 1 shall not apply:

a) when the juvenile has committed a crime while serving the sentence of deprivation of liberty and

b) when convicted after coming of age.

(4) The rule of Para. 1 shall also not apply in the cases of repeated conviction if the court finds that in order to correct and re-educate the perpetrator, it is necessary for him to serve the penalty of deprivation of liberty and when:

a) its term is not shorter than six months or

b) if the perpetrator has already served time of imprisonment.

Art. 65. (1) The juveniles, until coming of age, shall serve the time of imprisonment in a corrective home.

(2) (Amend. - SG 75/06, in force from 13.10.2006) After coming of age, they shall be moved to a prison or to a prison hostel. For completion of their education or qualification, upon proposal of the pedagogical council, by a permit of the prosecutor, they can remain in the corrective house until reaching twenty years of age.

## **Chapter seven.**

### **EXEMPTION FROM SERVING IMPOSED PENALTY**

#### **Section I.**

#### **Probationary Sentence**

Art. 66. (1) (Amend. - SG 28/82; corr. SG 31/82; Amend., SG 92/02, amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004) When the court imposes an imprisonment penalty of up to three years, it can postpone the imposed penalty for a period from three to five years if the person has not been convicted for imprisonment for a crime of general nature, and if the court finds that for the purpose of the penalty and most of all for the reformation of the convicted, it is not necessary to serve the sentence.

(2) (Amend. - SG 92/02, amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004) The probation term cannot exceed the term of the imposed imprisonment penalty by more than three years.

(3) (Revoked - SG 92/02, amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004)

(4) (New - SG 28/82; suppl. - SG 75/06, in force from 13.10.2006) During the probation period, the convicted shall be obliged to study or work, unless he/she has to undergo treatment.

Art. 67. (1) In case of postponement of the fulfilment of the penalty, the court can assign to the respective public organisation or a work team, upon their consent, corrective care for the convicted during the probation period.

(2) If there is no such consent, or when the court finds it necessary, it shall assign to a definite person the corrective care for the probationary convicted. If the probationary convicted has a place of residence in another populated area this person shall be determined by the respective regional court.

(3) (New - SG 92/02; amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004, amend. - SG 27/09, amend. - SG 67/23) When the imposed penalty of imprisonment is for no less than 6 months, the court can rule one or several of the probation measures under Art. 42a, Para 2 for the probation period.

(4) (New - SG 28/82, revoked, prev. para 3 - SG 92/02, amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004) For postponement of the penalty for a juvenile, the court shall inform the respective local commission which shall organise the corrective care.

(5) (Amend. - SG 95/75; prev. para 4 - SG 28/82, in force from 01.07.1982) The general control over the corrective care and the conduct of the probationary convicted shall be exercised by the regional court at the place of residence.

(6) (Prev. para 5 - SG 28/82, in force from 01.07.1982) The order and the way of applying the provisions of the preceding paras shall be settled by a law.

Art. 68. (1) If, until the expiration of the period of probation, the convicted commits another deliberate crime of general nature for which, though after this period, a penalty of imprisonment is imposed, he shall also serve the postponed sentence.

(2) If under parĐ°. 1 the convicted commits a crime by negligence, the court may rule the postponed penalty be incurred in part or fully, or not be incurred at all.

(3) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 92/02, amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004, amend. - SG 103/04, in force from 01.01.2005) If the probationer does not fulfil without valid reason some of the probation measures, determined for him by the order of Art. 67, para 3, the court may,

upon proposal by the probation council, substitute it with another or rule to incur entirely or partially the postponed penalty imprisonment.

(4) (New - SG 75/06, in force from 13.10.2006) If the probationer stops the treatment without reasonable grounds, the court shall rule to incur entirely the postponed penalty imprisonment.

(5) (Amend. - SG 28/82; prev. text of para 4 - SG, 75/06, in force from 13.10.2006) In the cases, other than those under the preceding paras, the postponed penalty shall not be incurred.

Art. 69. (1) Regarding a person who has been given a probationary sentence for a crime he has committed as a juvenile, the probation period shall be from one to three years.

(2) Regarding such a person, in the cases under para 1 of the preceding Art., it can be ruled that they be exempt, partially or entirely, from serving the sentence whose fulfilment has been postponed.

Art. 69a. (New - SG 28/82, amend. SG 103/04, in force from 01.01.2005; amend. - SG 75/06, in force from 13.10.2006) In the cases under Art. 68, para 2, 3 and 5 and Art. 69, para 2 if the convicted commits a new indictable offence within the probation period, for which he has been sentenced to imprisonment, or he continues not to fulfil without valid reason some of the probation measures, determined for him by the order of Art. 67, para 3, he shall serve the remaining part of the sentence.

## **Section II. Release Ahead of Term**

Art. 70. (1) (Amend. - SG 153/98, amend. SG 103/04; amend. - SG 27/09, amend. - SG 13/17, in force from 07.02.2017) The court can rule a probationary release ahead of term for the remaining part of the imprisonment penalty regarding a convicted who has proven his reformation and has actually served:

1. no less than half of the imposed penalty;
2. no less than two thirds of the imposed penalty in cases of dangerous recidivism.

(2) (Amend. - SG 92/02, revoked - SG 13/17, in force from 07.02.2017)

(3) (Revoked - SG 13/17, in force from 07.02.2017)

(4) (Amend. - SG 92/02, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004) The probationary release ahead of term shall also regard the term of the deprivation of rights according to art. 37, para 1, item 6 and 7.

(5) (Amend. - SG 92/02, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004) In case of a probationary release ahead of term the court can release the convicted from the imposed sentence of deprivation of rights according to art. 37, para 1, item 6 or 7.

(6) (Suppl. - SG 28/82; Suppl., SG 92/02, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, suppl. - SG 103/04; amend. - SG 27/09, amend. - SG 13/17, in force from 07.02.2017) Ruled, in case of a probationary release ahead of term

of the convicted, shall be a probation period for the period of the part of the penalty which has not been served. During the probation period but no more than three years, for which time the court can rule one of the probation measures under Art. 42a, Para 2, Items 1 - 4 taking into consideration report by the probation employee.

(7) (Suppl. - SG 92/02, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004) The released ahead of term shall also serve separately the remaining part of the penalty if, within the probation period, he commits a new deliberate crime provided for which is imprisonment or does not fulfil the ruled probation. If, within this period, the released ahead of term commits a negligent crime, the court can rule not serving of the imposed penalty or its serving entirely or partially.

(8) (Corr. - SG 29/68) In the cases of the preceding paragraph, the convicted shall incur in full the penalty from which he has been released according to Para. 5 of this Article.

(9) The term of rehabilitation under Art. 86 in the case of the probationary release ahead of term shall begin at the moment of expiration of the probation term.

Art. 71. (1) The court can release ahead of term the convicted to imprisonment juvenile if he has corrected himself, after having actually served no less than one third of the imposed penalty.

(2) Regarding a person convicted for a crime he has committed as a juvenile, the provisions of Art. 70 shall apply upon coming of age regarding the release ahead of term.

Art. 72. (Revoked - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004)

Art. 73. (1) (Amend. - SG 75/06, in force from 13.10.2006) Regarding the persons released ahead of term the court shall assign the organising of the supervision and the corrective care for them during the probationary term to the respective commission, and for the juveniles - to the local commission for fighting juvenile crime.

(2) Where necessary the court shall assign the supervision and the corrective care to a definite public organisation upon its consent, or to a definite person, informing about that the supervisory or local commission.

(3) The total control and the management of the corrective care and of the conduct of the released ahead of term shall be carried out by the regional court at the place of their residence.

(4) The order and the way of applying the provisions of the preceding paras shall be settled by a law.

### **Section III. Pardon**

Art. 74. (Suppl. - SG 75/06, in force from 13.10.2006) The President can, by an act of pardon, remit entirely or partially the imposed penalty, and remit or replace the death penalty, the life imprisonment without parole and the life imprisonment.

**Chapter eight.**  
**EXEMPTION FROM CRIMINAL LIABILITY**

**Section I.**  
**Probationary exemption from criminal liability with public bail delivery**  
**(Revoked - SG 62/97)**

Art. 75. (Amend., SG 28/82; revoked - SG 62/97)

Art. 76. (Amend., SG 28/82; revoked - SG 62/97)

**Section II.**  
**Exemption from criminal liability by imposing measures for social impact by**  
**the fellow citizen's court (Revoked, SG 105/91)**

Art. 77. (Revoked - SG 105/91)

**Section III.**  
**Exemption from criminal liability of juveniles by applying corrective**  
**measures**

Art. 78. In the cases of Art. 61, the juvenile can be exempt from criminal liability by applying the respective corrective measure.

**Section IV.**  
**Exemption from criminal liability with the imposition of administrative**  
**penalty**

Art. 78a. (New - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93, SG 62/97; SG 21/00; amend. - SG, 75/06, in force from 13.10.2006; amend. " SG 26/10) A person of age shall be exempt from criminal liability by the court and a penalty shall be imposed from one thousand to five thousand levs, when the following conditions are simultaneously present:

a) (amend. - SG 86/05, in force from 29.04.2006) stipulated for the crime is imprisonment of up to three years or another more lenient penalty when it is deliberate, or imprisonment of up to five years or other more lenient penalty if it is negligent;

b) the perpetrator has not been convicted for a crime of general nature and has not been exempt from criminal liability by the order of this Section;

c) the proprietary damages caused by the crime have been restored.

(2) (Revoked - SG 21/00)

(3) (Revoked - SG 21/00)

(4) The court imposing the fine under para 1 can also impose an administrative penalty of deprivation of the right to practice a particular profession or activity for a period of up to three years, if deprivation of such right is stipulated for the respective crime.

(5) When only a fine or a fine and another more lenient penalty are stipulated, the administrative penalty cannot exceed the size of this fine.

(6) (New " SG 26/10) In those cases where the grounds under para 1 are present and the deed has been committed by an underage person, the court shall exempt him/her from criminal liability by imposing public reprimand or corrective measure as administrative penalty. The court may also impose as an administrative penalty the deprivation of the right to practice certain profession or activity for a period of up to three years, if deprivation of the said right is provided for the respective crime.

(7) (New " SG 86/05, in force from 29.04.2006; amend. - SG, 75/06, in force from 13.10.2006; suppl. - SG 27/09; prev. text of para 6 " SG 26/10; amend. - SG 95/16; suppl. - SG 54/17, suppl. - SG 67/23) Paragraphs 1 " 6 shall not apply, if the harm inflicted is a serious bodily harm or death, or if the perpetrator has been intoxicated or having used narcotic substances or analogues thereof, as well as in case of multiple crimes, and also when the crime was committed against a body of authority during or in relation to the performance of his duties, except in the cases where it is an insult or defamation.

## **Section V.**

### **Determination of the type of exemption from criminal liability**

Art. 78b. (Revoked - SG 62/97)

## **Chapter nine.**

### **ACQUITTAL OF THE CRIMINAL PROSECUTION AND OF THE IMPOSED PENALTY**

Art. 79. (1) The criminal prosecution and the fulfilment of the penalty shall be excluded:

1. when the perpetrator dies;
2. due to running out of the statute of limitations;
3. when an amnesty has followed.

(2) (Amend. " SG 74/15 (\*)) Not excluded by prescription shall be the criminal prosecution and the fulfilment of the penalty regarding:

1. crimes against the peace and the mankind;
2. (declared unconstitutional by a Decision of the Constitutional Court " ,– 12 of 2016 - SG 83 of 2016) severe crimes under Chapter Two, Section I, Section II, Section IV and Section V; Chapter Three, Section I, Section II and Section III; Chapter Eleven,

Section III of the Special Part of the Penal Code, committed between 9 September 1944 and 10 November 1989 by members of the higher bodies of the Bulgarian Communist Party and by third parties who have been assigned leadership positions or party functions.

Art. 80. (1) The criminal prosecution shall run the statute of limitations when it has not been instituted for a period of:

1. (amend. - SG 31/90; amend. - SG 153/98) twenty years for acts punishable by life imprisonment without parole, life imprisonment, and thirty five years for murder of two or more persons;

2. fifteen years for acts punishable by imprisonment of more than ten years;

3. ten years for acts punishable by imprisonment of more than three years;

4. (amend -, SG 62/97) five years for an act punishable by imprisonment of more than one year, and

5. (amend. â€“ SG 26/10) three years for all remaining cases.

(2) The terms of limitation under the preceding para for crimes committed by juveniles shall be determined upon considering the replacement of the penalties under Art. 63.

(3) The prosecution limitations shall begin from the completion of the crime, for attempt and preparation - from the day when the last act is committed, and for permanent crimes, as well as for continued crimes - from their termination.

Art. 81. (1) The prescription shall expire when the beginning or the extension of the criminal prosecution depends on the solution of a preliminary issue by an enforced act of court.

(2) The prescription term shall be terminated by any act of the respective bodies undertaken for the purposes of the prosecution, only against the person against whom the prosecution is instituted. Upon conclusion of the act by which the prescription has been terminated a new term of prescription shall begin.

(3) Regardless of the termination or suspension of the term of prescription, the criminal prosecution shall be excluded if a term has expired exceeding by one-second the term stipulated by the preceding Art.

Art. 82. (1) The imposed penalty shall not be effected upon elapsed:

1. (amend. - SG 153/98) twenty years if the penalty is life imprisonment without parole or life imprisonment;

2. fifteen years if the penalty is imprisonment of more than ten years;

3. ten years if the penalty is imprisonment from three to ten years;

4. five years if the penalty is imprisonment of less than three years, and

5. two years for all remaining cases.

(2) The prescription for effecting the penalty shall begin on the day of enactment of the sentence, and regarding the penalty, whose effecting has been postponed according to Art. 66 - from the enactment of the sentence or definition according to Art. 68.

(3) The prescription shall be terminated by any act of the respective bodies undertaken regarding the convicted for fulfilment of the verdict. Upon conclusion of the act terminating the prescription a new prescription shall begin.

(4) Regardless of the suspension or termination of the prescription, the penalty shall not be effected if a term has expired exceeding by one second the term under para 1.

(5) (New - SG 28/82) The provision of the preceding para shall not apply regarding the fine when executory proceedings have been instituted for its collection.

Art. 83. The amnesty shall delete the criminal nature of a definite kind of acts or shall exempt from criminal liability and from the consequences of the conviction for certain crimes.

Art. 84. (1) For crimes prosecuted pursuant to a complaint of the aggrieved criminal prosecution shall not be instituted even if the prescription has not expired, if a complaint is not filed within six months from the day when the aggrieved learned that the crime has been committed.

(2) If the aggrieved dies before the expiration of this term, the complaint can be filed by their heirs before its expiration.

(3) The penalty shall not be effected for these crimes if the claimant has so requested before the beginning of its fulfilment.

## **Chapter ten. REHABILITATION**

Art. 85. (1) (Previous text of Art. 85 - SG 28/82, in force from 01.07.1982) The rehabilitation shall obliterate the conviction and shall repeal future consequences which are related by the law to the conviction itself, unless established otherwise by a law or an edict in certain respect.

(2) (New - SG 28/82, in force from 01.07.1982) The provision of the preceding para shall not apply regarding the convicted for crime against the peace and the mankind.

Art. 86. (1) The rehabilitation shall take place by right in the following cases:

1. when the person has been released on probation, if within the probation term he has not committed another crime for which reason he has to incur the postponed penalty;

2. (amend. - SG 92/02, amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004, amend. - SG 103/04, in force from 01.01.2005) if the person is sentenced to imprisonment of up to three years or to probation, if in the course of three years from the expiration of the term of the penalty imposed by the sentence or reduced by work or pardon he has not committed another crime punishable by imprisonment or by a more severe penalty;

3. when a person is sentenced jointly or individually to a fine, public reprimand or deprivation of rights, if within the course of one year from fulfilment of the penalty he has not committed another crime of general nature, and

4. when a person has been convicted as juvenile, if within the course of two years from incurring the penalty he has not committed another crime of general nature for which imprisonment has been imposed on him.

(2) (Amend. - SG 28/82, in force from 01.07.1982) The rehabilitation by right shall not occur for a crime committed by a person of age who has once been rehabilitated.

Art. 87. (1) In cases other than those under the preceding Art. every convicted can be rehabilitated by the court which has ruled the verdict as first instance if within the course of three years from the expiration of the term of the penalty imposed by the sentence or reduced by work or pardon he has not committed another crime punishable by imprisonment or by a more severe penalty:

1. if he has had a good conduct and

2. if he has restored the damages caused by a deliberate crime.

(2) The court can also rehabilitate the convicted without his restoring the caused damages if there are valid reasons for that.

(3) (Amend. - SG 92/02, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, amend. SG 103/04, in force from 01.01.2005) If, along with the penalty of imprisonment, a penalty of deprivation of rights according to Art. 37, para 1, item 6 and 7 or probation have been imposed, the term of this penalty must have expired in order to rule rehabilitation. If a fine is imposed, it must have been paid.

Art. 88. Rehabilitation can also be requested by the heirs of the convicted after his death if he has been entitled.

Art. 88a. (New - SG 28/82) (1) (Suppl. - SG 89/86) When a term has expired, after the serving of the sentence, equal to the one under Art. 82, para 1 and the convicted has not committed a new deliberate crime of general nature for which a penalty of imprisonment is stipulated the conviction and its consequences shall be obliterated regardless of the stipulated by another law or an edict.

(2) When the imposed penalty of imprisonment is longer than one year and the person has not been exempt from serving it pursuant to Art. 66, the term under para 1 cannot be less than ten years.

(3) In case of a release on probation and release on licence the term under para 1 shall begin on the day of expiration of the probation term.

(4) (New - SG 89/86) If a person has committed two or more crimes for which he has not been rehabilitated the sentence and its consequences shall be obliterated upon the expiration of the terms stipulated by the preceding paras for all convictions.

(5) (Prev., para 4 - SG 89/86) The provisions of the preceding paras shall not apply regarding the convicted for serious crimes against the republic and for crimes against the peace and the mankind.

## **Chapter eleven.**

### **COMPULSORY MEDICAL MEASURES**

Art. 89. Regarding a person who has committed a socially dangerous act in a state of insanity or who has lapsed into such a state before the ruling of the verdict or during the serving of the sentence, the court can rule:

- a) to deliver him to the next of kin if they undertake an obligation for his treatment under the supervision of a psycho-neurological dispensary;
- b) compulsory treatment in a general psycho-neurological establishment;
- c) compulsory treatment in a special psychiatric hospital or in a special ward of a general psycho-neurological establishment.

Art. 90. (1) The mandatory treatment in a general psycho-neurological establishment can be ruled by the court regarding a mentally ill person who, in view of his psychic status and of the nature of the committed socially dangerous act, needs care and treatment by mandatory order.

(2) The mandatory treatment in a special psychiatric hospital or in a special ward can be ruled by the court regarding a mentally ill person who, in view of his psychic status and the nature of the committed socially dangerous act is particularly dangerous for the society or for his next of kin. In these cases the person shall be kept under doubled supervision excluding the possibility for him to commit a new socially dangerous act.

Art. 91. (1) The termination or the change of the ruled medical mandatory measure shall be done by the court when this is required by the occurred change of the status of the sick person or by the needs of his treatment.

(2) In all cases, upon expiration of a six-month period from the admission in the medical establishment the court shall rule for termination, continuation or replacement of the mandatory treatment.

Art. 92. (1) If the crime is committed by a person who suffers from alcoholism or from other addiction, the court can, along with the penalty, rule mandatory treatment as well.

(2) When a penalty is imposed without imprisonment, the mandatory treatment shall be carried out in medical establishments with special treatment and working regime.

(3) The mandatory treatment of the sentenced to imprisonment shall be carried out during the serving of the sentence. The term of the mandatory treatment shall be deducted from the term of imprisonment.

(4) Where necessary, the court can rule the continuation of the treatment after the release of the convicted from the place of imprisonment - in the medical establishment specified in para 2.

(5) The mandatory treatment shall be terminated by the court if its continuation is no longer necessary.

### **Additional provision**

#### **Explanation of some words**

Art. 93. The words and expressions below have been used in this Code with the following meaning:

1. "Official" is a person to whom it is assigned to fulfil, against remuneration or free of charge, temporarily or permanently:

a) a job in a state establishment, with exception of those carrying out activity of material performance;

b) (amend. - SG 10/93; suppl. - SG 62/97, Amend. SG 43/05, in Force from 1st of September 2005; amend. " SG 64/07; amend. " SG 26/10) managerial job or a job related to keeping or management of another's property in a state enterprise, cooperation, public organisation, other corporate body or with a sole entrepreneur, as well as of a public notary and assistant public notary, private bailiff and deputy private bailiff.

2. (amend. - SG 92/02) "Body of authority" are the bodies of the state authority, the bodies of the state government, the bodies of the judiciary authority, as well as their employees, in charge of exercising power of authority.

3. "Representative of the public" is a person appointed by a public organisation to carry out, by virtue of the law or other normative act, a definite function.

4. (suppl. - SG 51/00) "Public property" is the property of the state, of the municipalities, of the cooperations, of the public organisations and of the other corporate bodies in which they participate.

5. "Official document" is the one issued by the established order and in a form by an official within the scope of his duties, or by a representative of the public within the scope of the assigned function.

6. "Not genuine document" is the one to which an appearance has been attached representing it as a concrete written statement of another person and not the one who has actually worked it out.

7. (suppl. - SG 50/95; amend. - SG 153/98) "Serious crime" is a crime for which the law stipulates a penalty of imprisonment of more than five years, life imprisonment or life imprisonment without parole.

8. "Particularly serious case" is the one where the committed crime, in view of the occurred harmful consequences and of other aggravating circumstances, represents an exceptionally high degree of social danger of the act and the perpetrator.

9. "Minor case" is the one where the committed crime, in view of the lack or insignificance of the harmful consequences, or in view of other attenuating circumstances represents a lower level of social danger as compared with the common cases of crime of the respective kind.

10. "Next of kin" are the spouses, the ascending, descending (including adopted, step children), the brothers, sisters and their spouses, the lateral branch of the family up to IV degree.

11. "War-time" is the time from declaring war or from the actual starting of military activities until the declaring of their ceasing.

12. (new - SG 28/82, in force from 01.07.1982) the crime has been committed "by two or more persons" when at least two persons have participated in the fulfilment itself.

13. (new - SG 28/82, in force from 01.07.1982) International protection shall be enjoyed by persons for whom such protection is provided for in an international treaty, to which the Republic of Bulgaria is a party.

14. (new - SG 62/97; amend. - SG 21/00) "Taxes large in size" are those exceeding three thousand levs, and "taxes particularly large in size" are those exceeding twelve thousand levs.

15. (new - SG 7/99) "Foreign official" is the one who carries out:

a) a job in an establishment of a foreign country;

b) functions assigned by a foreign country, including by a foreign state enterprise or organisation;

c) (suppl. - SG 92/02) job or commission assigned by an international organisation, as well as a position in an international Parliamentary Assembly or international court;

d) (new " SG 74/15) arbitration functions vested in accordance with the law of another state.

16. (new - SG 21/00; revoked - SG, 75/06, in force from 13.10.2006);

17. (new - SG 21/00; Suppl. - SG 92/02; revoked - SG 75/06, in force from 13.10.2006)

18. (New, SG 21/00; Suppl., SG 92/02; revoked - SG, 75/06, in force from 13.10.2006)

19. (New, SG 21/00; revoked - SG, 75/06, in force from 13.10.2006)

20. (new - SG 92/02; amend. - SG 27/09) "Organised criminal group" is a structured permanent association of three or more persons with the purpose of committing crime in the country or abroad, provided for which is a penalty of imprisonment of more than three years. The association is structured without the presence of a formal distribution of the functions between the participants, duration of the participation or developed structure.

21. (new - SG 92/02; amend. - SG 38/07, amend. and suppl. " SG 101/17) "Information system" is every individual device or a totality of interconnected or similar devices which, in fulfilment of a definite programme, provides, or one of the elements provides automatic data processing, as well as computer data, stored, processed, extracted or transferred from such a device or group of devices in view to operating with those data and their use, protection and maintenance.

22. (new - SG 92/02; amend. - SG 38/07, amend. " SG 101/17) "Computer data" is every presentation of facts, information or concepts in a form subject processing in information systems, including programme, which can make so, that a certain information system can fulfill a certain function.

23. (new - SG 92/02, amend. " SG 101/17) "Provider of computer information services" is every corporate body or individual offering the possibility of communication through an information system or which processes or stores computer data for this communication service or for its users.

24. (new - SG 92/02; amend. - SG 75/06, in force from 13.10.2006) "Payment instrument" is a material instrument, allowing individually or jointly with another instrument, money or other monetary values to be transferred.

25. (new " SG 38/07, amend. " SG 101/17) "Computer network" is any totality of information systems and equipment connected between each other which provides the opportunity to exchange computer data.

26. (new " SG 38/07, amend. " SG 101/17) "Computer programme" is any sequence of machine instructions which are capable of making an information system perform certain functions.

27. (new " SG 38/07, amend. " SG 101/17) "Computer virus" is a computer programme which spreads automatically and contrary to or without the knowledge of the persons using the information systems and intended for bringing information systems or computer networks to conditions undesired by the users or to performing undesired results.

28. (new " SG 38/07; amend. " SG 74/15) "Pornographic material" is any indecent, unacceptable or incompatible with the public moral material, whatever the manner of preparing it, which content depicts a real or simulated sexual act, copulation, sexual intercourse, including sodomy, masturbation, sexual sadism or masochism, or lascivious exhibition of the sexual organs.

29. (new - SG 107/14, in force from 01.01.2015) "Mandatory contributions to state social insurance or health insurance in large size" are those exceeding three thousand Levs, while "mandatory contributions to state social security or health insurance of particularly large size" are those exceeding twelve thousand Levs.

30. (new " SG 74/15) "Pornographic performance" means a live or real-time performance before another person of lascivious exhibition of the sexual organs of a person under 18 years of age, or of the participation of such a person in a real or simulated sexual act, copulation, sexual intercourse, including sodomy, masturbation, sexual sadism or masochism.

31. (new - SG - 16/19, amend. - SG 67/23) The criminal offense shall be deemed to have been committed "under the conditions of domestic violence", if it is carried out with physical, sexual or psychological violence, placing the person in economic dependence, coercive restriction of personal life, personal liberty and personal rights, and is enforced against persons in ascending and descending order, a spouse or ex-spouse, a person with whom one shares a child, a person with whom one is or has been in a de facto marital cohabitation, or a person with whom one lives or has lived in a common household.

## **Special Provision**

Art. 94. The provisions of the general part of this Code shall also apply to crimes stipulated by other laws.

## **SPECIAL PART**

### **Chapter one. CRIMES AGAINST THE REPUBLIC**

#### **Section I. Treason**

Art. 95. (Suppl. - SG 50/95; amend. - SG 153/98) Whoever, with the purpose of subversion, undermining or weakening of the authority in the republic, participates in a coup attempt for forcible seizure of the power in the centre or locally, in a riot or in an

armed uprising, shall be punished by imprisonment from ten to twenty years, by life imprisonment or life imprisonment without parole.

Art. 96. (1) (Amend. - SG 41/85; suppl. - SG 50/95; amend. - SG 153/98) Whoever, with the purpose of undermining or weakening the authority in the republic, or create difficulties, deprives of life a state or public figure, shall be punished by imprisonment of twenty years, life imprisonment or life imprisonment without parole.

(2) Whoever, with the same purpose, causes a serious bodily harm to such a person shall be punished by imprisonment of five to fifteen years.

(3) (Suppl. - SG 50/95; amend. - SG 153/98) Whoever, with the purpose under Para. 1, through arson, explosion, flooding or other socially dangerous act, causes death to one or more persons, shall be punished by imprisonment from fifteen to twenty years, by life imprisonment or life imprisonment without parole.

Art. 97. (Suppl. - SG 50/95; amend. - SG 153/98) Whoever, with the purpose described in the preceding Art., commits a socially dangerous crime according to Art. 349 or 350, shall be punished by imprisonment of ten to twenty years, by life imprisonment or life imprisonment without parole.

Art. 97a. (New - SG 41/85) (1) Whoever, with the purpose under Art. 96, holds somebody as a hostage, whose release places under dependence on the fulfilment of a definite condition on the part of the state, of a state or a public organisation or a third person, shall be punished by imprisonment of three to ten years.

(2) When, in the cases under the preceding Para., the perpetrator threatens that if his conditions are not met, he will cause death or serious or average bodily harm to the hostage, the penalty shall be imprisonment of five to fifteen years.

## **Section II. Betrayal and Espionage**

Art. 98. (1) Whoever abets a foreign country or a public group abroad in a war or other hostile act against the Republic shall be punished by imprisonment from five to fifteen years.

(2) The same penalty shall be imposed to those who commit an act with the purpose of instigating war or other hostile act against the Republic.

Art. 99. (1) (Suppl. - SG 50/95; amend. - SG 153/98) Whoever deprives of life a representative of a foreign state with the purpose of instigating war or international complications against the republic shall be punished by imprisonment from ten to twenty years, by life imprisonment or life imprisonment without parole.

(2) For serious bodily harm to such a person with the same purpose, the penalty shall be imprisonment of five to fifteen years.

Art. 100. (1) (Suppl. - SG 50/95; amend. - SG 153/98) A Bulgarian citizen who during a declared or started war, enlists voluntarily in a hostile army or an armed group, or participates in a hostile act against the republic, or in any form whatsoever passes to the side of the enemy, shall be punished by imprisonment of ten to twenty years, by life imprisonment or life imprisonment without parole.

(2) The same penalty shall be imposed to a Bulgarian citizen who, in any way whatsoever, has assisted a foreign state or a public group abroad in carrying out military or other hostile activities against the Republic.

Art. 101. (1) A Bulgarian citizen who leaves the country or refuses to return to the country with the purpose of providing services to a foreign country or to a foreign organisation in order to serve to it to the detriment of the republic shall be punished by imprisonment of three to ten years.

(2) If the act is committed by a military person, the penalty shall be imprisonment of five to fifteen years.

Art. 102. (1) Whoever, with the purpose of reducing the defence capacity of the republic occasions a riot or defiance in the Bulgarian army or desertion from it, or with the same reason disrupts its training or provision, shall be punished by imprisonment of five to fifteen years.

(2) (Suppl. - SG 50/95; amend. - SG 153/98) If serious consequences have resulted from the act, or if it has been committed in war-time, the penalty shall be imprisonment of ten to twenty years, life imprisonment or life imprisonment without parole.

Art. 103. (Suppl. - SG 75/06, in force from 13.10.2006) Whoever, in fulfilment of a public employment or commission before a foreign government or international organisation, deliberately carries them out to the detriment of the Republic, shall be punished with imprisonment from ten to fifteen years, as well as with deprivation of rights under Art. 37, para 1, items 6 and 9.

Art. 104. (1) (Suppl. - SG 50/95; amend. - SG 153/98; amend. - SG 26/04) Whoever divulges or gathers with the purpose of divulging to a foreign state or foreign organisation information representing a state secret shall be punished for espionage by imprisonment of ten to twenty years, by life imprisonment or life imprisonment without parole.

(2) If the perpetrator voluntarily discloses to the authorities the committed crime, he shall be punished with attenuating circumstances.

(3) (Amend. - SG 95/75; amend. - SG 99/89; amend. - SG 26/04) The information representing a state secret shall be determined by a law.

Art. 105. (1) Whoever places himself at the service of a foreign country or foreign organisation in order to serve as a spy, unless he has not committed an act under the preceding para, shall be punished by imprisonment of five to fifteen years.

(2) The perpetrator shall not be punished, if he voluntarily discloses himself to the authorities.

### **Section III. Diversion and Sabotage**

Art. 106. (Suppl. - SG 50/95; amend. - SG 153/98) Whoever, with the purpose of weakening the authority or creating difficulties for it, destroys or damages public buildings, constructions, installations, facilities, means of transport or communication or other important public property, shall be punished for diversion with imprisonment of five to fifteen years, and in especially serious cases - with imprisonment for twenty years, life imprisonment or with life imprisonment without parole.

Art. 107. Whoever, with the purpose of weakening the authority or creating difficulties for it, disrupts or subverts the industry, transport, agriculture, the monetary and credit system, other economic branches or individual economic enterprises by using state establishments, economic enterprises or public organisations, obstructing their activity, or not carrying out assigned important economic tasks, shall be punished for sabotage with imprisonment from three to ten years, and in especially serious cases - with imprisonment from five to fifteen years.

### **Section IV. Other crimes (Title amend. - SG 99/89)**

Art. 108. (Suppl. - SG 41/85; amend. - SG 99/89) (1) (Amend. - SG 10/93, amend. - SG 92/02; amend. - SG 38/07) Whoever propagates fascist or other anti-democratic ideology or forcible change of the social and state system established by the Constitution of the Republic of Bulgaria shall be punished by imprisonment of up to three years or a fine of up to five thousand levs.

(2) (Amend. - SG 10/93, amend. - SG 92/02; amend. - SG 38/07; suppl. - SG 95/16) Whoever, in any way whatsoever, besmirches the coat-of-arms, the flag or the anthem of the Republic of Bulgaria, or the flag or the anthem of the European Union, shall be punished by imprisonment of up to two years or by a fine of up to three thousand levs.

Art. 108a. (New - SG 92/02) (1) (Amend. "â€" SG 33/11, in force from 27.05.2011; suppl. "â€" SG 74/15, amend. "â€" SG 101/17) Whoever, with the aim of causing commotion and fear to the population, or threat or compel a body of the authority, a representative of the public or a representative of a foreign country or of an international organisation, to do or omit something, commits a crime according to Art. 115, 128, Art. 142, para 1, Art. 142a, Para. 3, p. 2, Art. 143, Art. 143a, Art. 144, Para. 2, Art. 170. Para. 3, Art. 216, para 1 and para 5, Art. 319b "â€" 319d, Art. 326, Art. 330, Art. 334, Art. 336a, Art. 337, Art. 339, Art. 340, Art. 341a, Art. 341b, Art. 341c, Art. 344, Art. 347, para 1, Art. 348, Art. 349, Art. 350, Art. 352, para 1, 2 and 3, Art. 354, Art. 356f, para 1, Art. 356h,

Art. 356k, Art. 356l and 356m shall be punished for terrorism by imprisonment from five to fifteen years, and when death has been caused - by imprisonment from fifteen to thirty years, life imprisonment or life imprisonment without parole.

(2) (Amend. â€“ SG 33/11, in force from 27.05.2011; amend. â€“ SG 74/15)

Whoever, in any way whatsoever, directly or indirectly, gathers or provides financial or other means, knowing or expecting that they will be used, fully or partially:

1. (suppl. â€“ SG, 101/17) to commit an act under Para 1, 3, 4, 6, or 7;

2. by an organisation or a group aiming at committing a crime under Para 1 or 3;

3. (suppl. â€“ SG 101/17) by a person who has committed an act under Para 1, 3, 4, 6 or 7, shall be punished by imprisonment from three to twelve years.

(3) (New â€“ SG 33/11, in force from 27.05.2011) Whoever recruits or trains persons or groups of persons for the purpose of committing a crime under Para. 1, shall be punished by imprisonment from two to ten years.

(4) (New â€“ SG 74/15) Whoever is training to commit a crime under Para. 1 shall be punished by imprisonment for up to eight years.

(5) (New â€“ SG 74/15) The perpetrator under Para. 4 shall not be punished, if he voluntarily discloses himself to the authorities before a crime under Para. 1 has been committed.

(6) (New â€“ SG 74/15) Any Bulgarian national exiting through the national border in order to participate in a crime under Para. 1 â€“ 4, also against another country, shall be punished by imprisonment of up to ten years.

(7) (New â€“ SG 74/15) The penalty under Para. 6 shall also be imposed on any foreigner who, aiming to participate in a crime under Para. 1 â€“ 4, also against another country, enters through the country borders or illegally resides in it.

(8) (Prev. text of Para. 3 â€“ SG 33/11, in force from 27.05.2011; prev. text of Para 04 â€“ SG 74/15) The subject of the crime under Para. 2 shall be seized in favour of the state and if it is missing or expropriated, its equivalence shall be awarded.

Art. 109. (1) (Amend. - SG 99/89; amend. -SG 92/02; amend. - SG 75/06, in force from 13.10.2006) Whoever forms or leads an organisation or a group having the goal of committing crime under this chapter, shall be punished by imprisonment of up to twelve years, but not longer than the penalty stipulated for the respective crime.

(2) (Amend. - SG 92/02; suppl. - SG 75/06, in force from 13.10.2006) Whoever is a member of such organisation or group shall be punished by imprisonment of up to ten years, but not longer than the penalty stipulated for the respective crime.

(3) (New â€“ SG 33/11, in force from 27.05.2011) Where the organization or group aims at committing a crime as per Art. 108a, the punishment shall be as follows:

1. under Para. 1 â€“ imprisonment from ten to twenty years;

2. under Para. 2 - imprisonment from two to ten years.

(4) (Amend. - SG 95/75; amend. - SG 92/02; suppl. - SG 75/06, in force from 13.10.2006; prev. text of Para. 3 - SG 33/11, in force from 27.05.2011) A participant in the organisation or group who voluntarily surrenders to the authorities, discloses everything known to him about the organisation or group, thus facilitating substantially the discovery and proving of crime committed by it under this chapter, shall be punished under the conditions of Art. 55.

(5) (Amend. - SG 92/02; suppl. - SG 75/06, in force from 13.10.2006; prev. text of Para. 4 - SG 33/11, in force from 27.05.2011) Not punished shall be a participant in the organisation or group who voluntarily surrenders himself to the authorities and discloses the organisation or group before another crime is committed by it or by him under this chapter.

Art. 110. (1) (Amend. - SG 99/89; amend. - SG 92/02; prev. text of Art. 110 â€“ SG 74/15, suppl. â€“ SG 101/17) For preparation for a crime according to art. 95, 96, 99, 106 and 107 and Art. 108, para 1, 6, or 7, the penalty shall be imprisonment of up to six years.

(2) (New â€“ SG 74/15) Any foreigner who, on the territory of the country, is preparing to commit a crime under Art. 108a, Para 1, shall be punished by imprisonment of up to six years, but not more than the penalty provided for in Art. 108a, Para 1.

Art. 111. (Revoked - SG 99/89)

Art. 112. (Amend. - SG 41/85; revoked, SG 99/89)

Art. 112a. (New - SG 41/85; revoked - SG 99/89)

Art. 113. (Revoked - SG 99/89)

### **Additional provisions**

Art. 114. (1) (Amend. - SG 28/82, in force from 01.07.1982, amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004, amend. - SG 103/04, in force from 01.01.2005) For crimes under this chapter, the court can rule revocation of rights under Art. 37, para 1, items 6 - 10.

(2) (Suppl. - SG 92/02) For crimes under Art. 95 - 107, Art. 108a and 109, the court can rule confiscation of a part or the entire property of the culprit.

## **Chapter two. CRIMES AGAINST THE PERSON**

### **Section I. Homicide**

Art. 115. Whoever intentionally kills another shall be punished for homicide by imprisonment from ten to twenty years.

Art. 116. (Amend. - SG 28/82, in force from 01.07.1982, suppl. - SG 50/95)  
(1) For the killing:

1. of an official, representative of the public, as well as a member of the military, from an allied or friendly country or army included, or on occasion of fulfilment of their duty or function, or a person under international protection;

2. (amend. - SG 27/09) by an official, as well as by a representative of the public, by a police authority in or on occasion of fulfilment of his duty or function;

3. of a father, mother, as well as of a natural son or daughter;

4. (suppl. - SG 62/97) of a pregnant woman, a minor child or of more than one person;

5. of a person in a helpless condition;

6. in a way or by means dangerous for the life of many, in a particularly torturing way for the victim or with particular cruelty;

6a. (new - SG 16/19) committed in the context of domestic violence;

7. for self-interest;

8. with the aim of facilitating or covering another crime;

8a. (new " SG 84/13) for the purpose of removing body organs, tissues, cells or bodily fluids from the victim;

9. committed deliberately;

10. (new - SG 92/02) committed by a person acting upon order or in fulfilment of a decision of an organised criminal group;

11. (prev. item 10 - SG 92/02; suppl. - SG 33/11, in force from 27.05.2011, amend. and suppl. - SG 67/23) committed from hooligan, racist, xenophobic or sexual orientation-related motives and

12. (amend. - SG 153/98, previous item 11, amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004) representing a dangerous recidivism or committed by a person who has committed other deliberate homicide under the preceding or present Article, for which no verdict has been rendered,

(suppl. - SG 28/82, in force from 01.07.1982, amend. - SG 50/95, amend. - SG 153/98, amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005) the penalty shall be imprisonment from fifteen to twenty years, life imprisonment or life imprisonment without parole.

(2) (New - SG 62/97; amend. - SG 153/98, amend. and suppl. - SG 103/04, in force from 01.01.2005, suppl. - SG 43/05, in force from 01.09.2005; amend. " SG 64/07; amend. - SG 27/09; amend. - SG 80/09; amend. - SG 33/11, in force from 27.05.2011; suppl. " SG 61/13) For a killing of a judge, prosecutor, investigator, policy authority, investigating policeman, state bailiff, private bailiff and deputy private bailiff, as well as a customs" employee, a revenue authority employee, an employee of the Executive Agency of Forests or an employee of the Ministry of Environment and Waters, implementing control activity, or a medical personnel, a teacher (tutor) during or on occasion of fulfilment of his duty or function, the penalty shall be imprisonment from twenty to thirty years, life imprisonment or life imprisonment without parole.

Art. 117. (1) (Amend. " SG 26/10) Preparation for murder shall be punished by imprisonment from one to six years.

(2) The same punishment shall be imposed on the one who incites another to murder.

Art. 118. (Amend. - SG 28/82, in force from 01.07.1982; amend. " SG 26/10) For a homicide committed in a state of great affect, which has been provoked by the victim through violence, following a serious offence or slander or by other illegal act, as a result of which have occurred or there was the probability of occurrence of serious consequences for the culprit or his next of kin, the penalty shall be: in the cases of Art. 115 - imprisonment from one to eight years, and in the cases of Art. 116, para 1, items 1 - 6 - imprisonment from three to ten years.

Art. 119. For murder committed while exceeding the bounds of self-defence, the penalty shall be imprisonment for up to five years.

Art. 120. For homicide committed by a mother to a child at the time of birth or immediately after it, the penalty shall be imprisonment for up to three years.

Art. 121. (Amend. " SG 103/04, in force from 01.01.2005) For the murder of a newborn child with a monstrous appearance, the guilty parent shall be punished with imprisonment for up to one year or with probation.

Art. 122. (1) (Amend. " SG 26/10) Whoever causes death to somebody else by negligence shall be punished by imprisonment of up to five years.

(2) (Amend. " SG 26/10) If the death is caused by a firearm or by a highly effective poisonous substance, or if the death of two or more persons is caused, the penalty shall be imprisonment from one to six years.

Art. 123. (1) (Amend. " SG 26/10) Whoever causes death to somebody else due to lack of knowledge or negligent fulfilment of a profession or another legally regulated activity, representing a source of increased danger, shall be punished by imprisonment from one to six years.

(2) (Amend. " SG 26/10) Whoever, by negligence, causes somebody else death through activities belonging to a profession or activity according to the preceding para, which he is not entitled to practice, shall be punished by imprisonment from two to eight years.

(3) (Amend. " SG 26/10) If, in the cases of the preceding paragraphs, the perpetrator was in a drunken state or if the death of more than one person was caused, the penalty shall be imprisonment from three to ten years, and in especially serious cases - imprisonment of five to fifteen years.

(4) If, after the act, the perpetrator has done everything in his power to rescue the victim, the penalty shall be: under Para. 1 and 2 - imprisonment of up to three years; under Para. 3 - imprisonment of up to five years, and in especially serious cases - imprisonment of three to ten years.

Art. 124. (1) Whoever causes somebody else's death by negligence as a result of a deliberately inflicted bodily harm shall be punished by imprisonment of three to twelve

years in case of a serious bodily harm, from two to eight years in case of an average bodily harm and up to five years in case of a light bodily harm.

(2) (New - SG 95/75; amend., SG 28/82; amend. - SG 89/86) If the act under the preceding para is committed in a state of affect, which has been caused by the victim by violence, heavy offence or slander or by other illegal act, as a result of which have occurred or would have occurred serious consequences for the culprit or his next of kin the penalty is: for serious bodily harm - imprisonment of up to five years; for average bodily harm - imprisonment of up to three years; for light bodily harm - imprisonment of up to two years.

(3) (New - SG 89/86; amend. - SG 92/02, amend. - SG 103/04, in force from 01.01.2005) If the bodily injury resulting in death is a dangerous relapse, the punishment shall be: for serious bodily harm - imprisonment of five to fifteen years; and for average bodily harm - imprisonment of three to ten years.

(4) (New - SG 89/86) If the act under Para. 1 or 3 has been committed by exceeding the scope of the unavoidable defence the punishment shall be: for serious bodily harm - imprisonment of up to five years; for average bodily harm - imprisonment of up to four years; and for light bodily harm - imprisonment of up to two years.

Art. 125. A mother who, through negligence, causes the death of her unborn or newly born child shall not be punished

Art. 126. (1) (Amend. - SG 62/97; amend. - SG 75/06, in force from 13.10.2006) Whoever, with the consent of a pregnant woman, kills her foetus outside of an accredited health establishment, or in violation of the approved medical standards and the rules for good medical practice, shall be punished by imprisonment of up to five years.

(2) (Amend. - SG 62/97) If the culprit does not have a higher medical degree or has killed the foetuses of two or more women, the punishment shall be imprisonment of up to eight years.

(3) (Amend. - SG 62/97) If the act under the preceding Paras. is repeatedly committed, the punishment shall be imprisonment from two to eight years.

(4) The pregnant woman shall not bear criminal liability under the preceding paras, including for incitement and aiding and abetting.

(5) (Amend. - SG 62/97) If the killing of the foetus has been done without the consent of the pregnant woman, the punishment shall be imprisonment of three to eight years.

(6) (Amend. - SG 62/97) If, in the above case, the death of the pregnant woman has ensued, the punishment shall be imprisonment of five to twelve years.

Art. 127. (1) (Amend. - SG 26/10) Whoever, in any way whatsoever, assists or incites another to commit suicide and such follows, or even an attempted one, shall be punished by imprisonment from one to six years.

(2) For the same crime, committed against a juvenile or against a person whom the guilty party knows is incapable of controlling his actions or does not understand the nature or significance of what has been committed, the penalty shall be imprisonment of three to ten years.

(3) Whoever, by a cruel treatment or systematic humiliation of the dignity of a person who is materially or otherwise dependent on him, causes him to commit suicide or to attempt suicide, having expected this may happen, shall be punished by imprisonment of two to eight years.

(4) If the deed under the preceding para is committed by negligence, the penalty shall be imprisonment of up to three years.

## **Section II. Bodily harm**

Art. 128. (1) Whoever inflicts on somebody else a serious bodily harm shall be punished by imprisonment of three to ten years.

(2) The bodily harm shall be considered serious if it has caused: a continuous mental disorder; a continuous blindness of one or both eyes; a permanent deafness; loss of speech; generative disability; disfiguring when it causes a permanent disorder of the speech or of a sense organ; loss of one kidney, the spleen or a branch of the lung; loss or crippling of a leg or a hand; permanent general life-threatening health disorder.

Art. 129. (1) (Amend. " SG 26/10) Whoever inflicts on somebody else an average bodily harm shall be punished by imprisonment of up to six years.

(2) The bodily harm shall be considered average if it has caused: a permanent weakening of the sight or hearing; permanent speech difficulty, difficulty of moving the limbs, the body or the neck, the functions of the genitals without causing generative disability; braking of jaw or knocking out teeth without which the chewing or the speech is impeded; disfiguring of the face or other parts of the body; permanent health disorder, not dangerous for the life or a health disorder temporarily dangerous for the life; injuries penetrating the skull, the chest and the abdominal cavity.

Art. 130. (1) (Amend. " SG 103/04, in force from 01.01.2005) Whoever causes somebody else a health disorder in cases other than those under art. 128 and 129 shall be punished for light bodily harm by imprisonment of up to two years or by probation.

(2) (Amend. - SG 28/82, in force from 01.07.1982; corr. - SG 31/82; amend. - SG 10/93; amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005) For light bodily harm expressed in causing pain or suffering without health disorder, the penalty shall be imprisonment of up to six months or probation, or a fine from one hundred to three hundred levs.

(3) If, in the cases under the preceding paras, the aggrieved has returned immediately to the perpetrator by the same bodily harm, the court may exempt both of them from punishment.

Art. 131. (1) For causing bodily harm:

1. (suppl. - SG 28/82, in force from 01.07.1982; amend. - SG 62/97) to an official, to a representative of the public, as well as to a military person, including from an

allied or friendly country or army, during or on occasion of fulfilment of his duty or function, or to a person under international protection;

2. (amend. - SG 27/09) by an official, by a representative of the public, by a police authority during or on occasion of fulfilment of his duty or function;

3. to a mother or a father;

4. (suppl. - SG 95/75; suppl. - SG 62/97) to a pregnant woman, to a minor or to more than one person;

5. (suppl. - SG 95/75) in a way especially torturous for the victim;

5a. (new - SG 16/19) in the context of domestic violence;

6. (new - SG 95/75) by a person who has committed deliberately another serious or average bodily harm according to art. 128 and 129 or according to this Art., for which verdict has not been rendered;

7. (new - SG 28/82, in force from 01.07.1982) repeatedly, if the bodily harm is serious or average

8. (new - SG 92/02) by a person acting by an order or in fulfilment of a decision of an organised criminal group;

8a. (new " SG 84/13) for the purpose of removal of organs, tissues, cells or bodily fluids from the victim;

9. (new - SG 92/02) in a way or by means dangerous for the life of many or by particular cruelty;

10. (new - SG 92/02) with motives to profit;

11. (new - SG 92/02) with the aim of facilitating or covering another crime;

12. (new - SG 92/02; suppl. - SG 33/11, in force from 27.05.2011, amend. and suppl. - SG 67/23) from hooligan, racist, xenophobic or sexual orientation-related motives.

(New line - SG 95/75, amend. " SG 103/04, in force from 01.01.2005, amend. - SG 26/10) the punishment shall be imprisonment from three to fifteen years in case of serious bodily harm; from two to ten years in case of average bodily harm; up to three years in case of minor bodily harm under Art. 130, Para. 1 and up to one year or probation under Art. 130, Para. 2;

(2) (New - SG 62/97, amend. - SG 103/04, in force from 01.01.2005, amend. - SG 43/05, in force from 01.09.2005; amend. " SG 64/07; amend. - SG 27/09; amend. - SG 80/09; amend. - SG 33/11, in force from 27.05.2011; suppl. " SG 61/13) For inflicting bodily harm to a judge, prosecutor, investigator, police authority official, investigating police officer, state bailiff, private bailiff and deputy-private bailiff, as well as customs" official, revenue authority official, an employee of the Executive Agency of Forests or an employee of the Ministry of Environment and Waters, carrying out control activities, or to a medical personnel, teacher (tutor) during or on occasion of fulfilment of his duties or function, the punishment shall be imprisonment:

1. from five to fifteen years for serious bodily harm;

2. from three to ten years for average bodily harm;

3. from one to five years for a light bodily harm according to art. 130, para 1;

4. up to three years for a light bodily harm according to art. 130, para 2.

Art. 131a. (Prev., para 2 of Art. 131 - SG 28/82; amend., SG 89/86; amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, amend. " SG 103/04, in force from 01.01.2005, amend. - SG

75/06, in force from 13.10.2006; amend. - SG 26/10) In the cases of dangerous recidivism, the punishment shall be: for a serious bodily harm - imprisonment of eight to fifteen years, and for average bodily harm - imprisonment of five to twelve years.

Art. 132. (1) (Amend. - SG 28/82, in force from 01.07.1982; suppl. - SG 89/86) For a bodily harm, apart from the cases under art. 131a, inflicted on somebody else in a state of affect, caused by the aggrieved by violence, outrage, slander or other illegal act which has caused or would have caused grave consequences for the culprit or his next of kin, the punishment shall be:

1. imprisonment of up to three years for serious bodily harm;
2. imprisonment of up to one year for average bodily harm;
3. (amend. - SG 28/82, in force from 01.07.1982, amend. " SG 103/04, in force from 01.01.2005) imprisonment of three months or probation for a period of up to six months for light bodily harm under art. 130, para 1;
4. (amend. - SG 10/93; amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005) probation for a period of up to six months or a fine of one hundred to three hundred levs according to art. 130, para 2.

(2) The penalties under the preceding para shall also be imposed in the cases of inflicting bodily harm in exceeding the scope of unavoidable defence.

Art. 133. (Amend. " SG 103/04, in force from 01.01.2005) Whoever inflicts on somebody else, by negligence, serious or average bodily harm shall be punished by imprisonment of up to one year or by probation.

Art. 134. (1) Whoever inflicts on somebody else a serious or average bodily harm due to ignorance or due to careless practising of a profession or of another legally stipulated activity representing a source of high danger, shall be punished:

1. by imprisonment of up to three years for a serious bodily harm and
2. (amend. " SG 103/04, in force from 01.01.2005) by imprisonment of up to two years or by probation for an average bodily harm.

(2) (Amend. and suppl. - SG 75/06, in force from 13.10.2006) Whoever, by negligence, inflicts on somebody else a serious or average bodily harm through activities belonging to a profession or activity according to the preceding para, which he has no right to practice, the penalty shall be: for serious bodily harm - imprisonment of up to five years, and for average bodily harm - imprisonment of up to three years.

(3) (Amend. - SG 75/06, in force from 13.10.2006) If, in the cases under the preceding paras, the perpetrator has been intoxicated or if he has inflicted injury to more than one person, the penalty shall be imprisonment from one to six years for serious bodily harm and imprisonment of up to five years for average bodily harm.

(4) If, after the act, the perpetrator has made everything in their power to assist the victim, this shall be taken into account as a mitigating circumstance when determining the penalty.

Art. 135. (1) (Amend. - SG 10/93; amend. - SG 62/97) Whoever, knowing that he suffers from a venereal disease, infects another with the same disease, shall be punished by imprisonment of up to three years and a fine of up to two hundred levs.

(2) (Amend. - SG 10/93; amend. - SG 62/97) If in the case under the preceding para the infected are minor persons under 16 years of age or more than two persons have been infected, the penalty shall be imprisonment of up to five years or a fine of up to five hundred levs.

(3) (Amend. - SG 10/93; amend. - SG 62/97) Whoever, knowing that he suffers from venereal disease, infects by negligence somebody else with the same disease shall be punished by imprisonment of up to one year or a fine of up to two hundred levs.

(4) (Amend. - SG 10/93; amend. - SG 62/97) Whoever, through a sexual intercourse or in any other way puts another person in jeopardy of being infected with a venereal disease, shall be punished by imprisonment of up to six months or by a fine of up to two hundred levs.

(5) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 62/97) A person having a venereal disease, who refuses to be treated or avoids a regular obligatory treatment, shall be fined with up to three hundred levs imposed through administrative channels.

(6) If the act under the preceding para is repeated, the penalty shall be imprisonment of up to six months.

### **Section III. Discrediting**

Art. 136. (1) (Previous text of Art. 136 - SG 28/82, in force from 01.07.1982, amend. " SG 103/04, in force from 01.01.2005) Whoever violates rules established to protect labour safety, and thereby endangers the life or health of workers, shall be punished by imprisonment of up to three years or probation, as well as by public reprimand.

(2) (New - SG 28/82, in force from 01.07.1982, amend. " SG 103/04, in force from 01.01.2005) When an act under the preceding para puts by negligence in jeopardy the life or the health of the workers the penalty shall be imprisonment of up to one year or probation.

Art. 137. Whoever puts in jeopardy a person unable to protect himself for reasons of being minor, superannuated, sick, or generally, being helpless, in such a way that his life can be in danger and being aware of it he does not come to his assistance, shall be punished by imprisonment of up to three years.

Art. 138. (Amend. " SG 103/04, in force from 01.01.2005) Whoever deliberately does not render assistance to a person of whom he is obliged to take care and who is in danger of his life, and who is unable to protect himself for reasons of being minor, superannuated, sick, or generally, being helpless, in the cases when he could have rendered assistance, shall be punished by imprisonment of up to one year or by probation.

Art. 139. (Amend. â€“ SG 103/04, in force from 01.01.2005; amend. - SG 10/93; amend. - SG 92/02, amend. â€“ SG 103/04, in force from 01.01.2005) Whoever, in the face of immediate danger to another's life, does not come to the aid that he could have given without danger to himself or to another, shall be punished with probation for up to six months or with a fine of one hundred to three hundred BGN.

Art. 140. (Amend. â€“ SG 103/04, in force from 01.01.2005) A driver of vehicle who, after a traffic accident in which he took part, does not render the necessary assistance to the injured person, that he could have given without danger to himself or to another, shall be punished by imprisonment of up to one year or by probation.

Art. 141. (1) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02; amend. â€“ SG 103/04, in force from 01.01.2005) If a person practising medical profession, after being invited, does not come to the assistance of a sick person or of a woman in labour without a valid reason shall be punished by probation or by a fine of one hundred to three hundred levs.

(2) If the culprit has been aware that the sick person or the woman in labour were in a dangerous state, the penalty shall be imprisonment of up to one year or probation.

(3) (Amend. - SG 10/93; amend. - SG 92/02; amend. â€“ SG 103/04, in force from 01.01.2005) Whoever, being obliged to render assistance to a sick person, does not render such assistance without valid reasons shall be punished by probation for up to six months or by a fine of one hundred to three hundred levs.

#### **Section IV.**

#### **Kidnapping and Illegal Constraint (Title amend. - SG 50/95)**

Art. 142. (New - SG 50/95) (1) (Amend. and suppl. - SG 92/02; suppl. - SG 27/09 ; amend. â€“ SG 26/10) Whoever kidnaps another shall be punished by imprisonment of three to ten years.

(2) (Amend. â€“ SG 26/10) The punishment shall be imprisonment of seven to fifteen years when:

1. the perpetrator has been armed;
2. the act has been committed by two or more persons;
3. (amend. - SG 62/97) the abducted person is a pregnant woman or a person under 18 years of age;
4. the kidnapped person is under international protection;
5. the act has been committed against two or more persons;
- 5a. (new - SG 16/19) the act has been committed in conditions of domestic violence;
6. (new - SG 62/97) the act has been committed by a person practising guarding activity, by an employee of an organisation carrying out guarding or insurance activity, by a person acting by an errand of such organisation or posing as such, by a person from the Ministry of Interior or a person posing as such;
7. (new - SG 62/97; suppl. - SG 92/02) the kidnapping, for mercenary motive or the purpose of taking the person out of the country;

8. (new - SG 62/97; amend. - SG 92/02) the act has been committed by a person acting by an order or in fulfilment of a decision of an organisation or a group under art. 321a or an organised criminal group;

9. (new - SG 67/23) the act is committed with racist, xenophobic or sexual orientation-related motives.

(3) (Amend. â€“ SG 26/10) The penalty shall be imprisonment from ten to twenty years or life imprisonment, as well as confiscation of part of or the entire property of the guilty person, in those cases where:

1. the deed has been committed repeatedly or is dangerous relapse;
2. substantial harmful consequences have occurred as a result of the act;
3. the kidnapped person has been treated with particular cruelty;
4. the deed has been committed in such a manner that is particularly tormenting or dangerous to the health of the kidnapped person;
5. the release of the kidnapped person is depending on something that should be done by a third party.

(4) (Revoked â€“ SG 26/10)

(5) (New â€“ SG 26/10) For preparation, instigation or association with the purpose of committing a crime under this article, the penalty shall be imprisonment from one to six years.

(6) (New â€“ SG 26/10) In the cases of paras 1 through 5, the perpetrator shall be punished under the terms of Art. 55, if he/she surrenders to the authorities voluntarily and discloses everything he or she knows about the committed crimes and thus facilitates considerably the investigation and the proof of the crimes.

Art. 142a. (Prev. Art. 142 - SG 50/95) (1) (Amend. - SG 62/97, amend. â€“ SG 26/10) Whoever illegally constrains another shall be punished by imprisonment of up to six years.

(2) (Amend. - SG 62/97; amend. â€“ SG 26/10) If the act is committed by an official or by a representative of the public in violation of his duty or function, or by a person under art. 142, para 2, item 6 and 8, the penalty shall be imprisonment of two to eight years.

(3) (New - SG 62/97, amend. â€“ SG 101/17, amend. - SG 67/23) If the act under Para. 1 and 2 is committed:

1. with respect to a pregnant woman, a minor or an underage person;
  2. with respect to a person benefitting international protection;
  3. with racist, xenophobic or sexual orientation-related motives,
- the penalty shall be imprisonment of three to ten years.

(4) (New - SG 16/19) If the act under Para. 1 has been committed in conditions of domestic violence, the penalty shall be imprisonment from three to ten years.

(5) (Prev. para 3; amend. - SG 62/97; amend. â€“ SG 26/10, previous Para. 4 - SG 16/19) If the act under the preceding paras has been committed in a way, tormenting or dangerous for the health of the aggrieved, or if the constraint has continued for more than two days and nights, the penalty shall be imprisonment of three to twelve years.

(6) (New - SG 28/82, in force from 01.07.1982, repealed - SG 50/95, prev. para 4 - SG 62/97; amend. â€“ SG 26/10, previous Para. 5 - SG 16/19) The penalty under

para 1 shall also be imposed on those who deliberately place or hold a healthy person in a health institution for mental diseases.

(7) (New - SG 28/82, in force from 01.07.1982; revoked - SG 50/95, previous Para. 6 - SG 16/19)

## **Section V. Coercion**

Art. 143. (Amend. - SG 50/95, prev. text of Art. 143 - SG 62/97) Whoever forces another to do, omit or suffer something against his will, by using force, threat or abuse of power, shall be punished by imprisonment for up to six years.

(2) (New - SG 62/97) If the act is committed by a person under art. 142, para 2, item 6 and 8, the punishment shall be imprisonment of three to ten years.

(3) (New - SG 16/19, amend. - SG 67/23) If the act under Para. 1 is committed:

1. in the context of domestic violence;

2. with racist or xenophobic motives,

the punishment shall be imprisonment from three to ten years.

(4) (New - SG 62/97, amend. and suppl. - SG 103/04, in force from 01.01.2005; amend. - SG 43/05, in force from 01.09.2005; amend. " SG 64/07; amend. - SG 27/09; amend. - SG 80/09; amend. - SG 33/11, in force from 27.05.2011, previous Para. 3 - SG 16/19) Where the coercion is exerted on a judge, prosecutor, investigator, police authority officer, investigating police officer, state bailiff, private bailiff and deputy-private bailiff, as well as customs<sup>TM</sup> employee, revenue authority official, an employee of the Executive Agency of Forests or an employee of the Ministry of Environment and Waters, implementing control activity, during or on occasion of fulfilment of his duty or function, the penalty shall be:

1. in the cases referred to in para 1 - imprisonment from two to eight years;

2. in the cases referred to in para 2 - imprisonment from five to fifteen years.

Art. 143a. (New - SG 41/85) (1) Whoever holds somebody as a hostage whose release puts in dependence the fulfilment of a definite requirement on the part of the state, of a state or public organisation or of a third person, shall be punished by imprisonment from one to eight years.

(2) When, in the cases under the preceding para the perpetrator threatens that if the requirements set by him are not met he will cause death or serious or average bodily harm to the hostage, the penalty shall be imprisonment of two to ten years.

(3) (New - SG 62/97) If the act under the preceding paras has been committed by a person under art. 142, para 2, item 6 and 8, the penalty shall be:

1. under para 1 - imprisonment of two to ten years;

2. under para 2 - imprisonment of five to twelve years.

Art. 144. (1) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 62/97; amend. - SG 92/02; amend. " SG 26/10) Whoever threatens somebody else with a crime against his person or property or against the person and the

property of his next of kin, and this threat could cause a justified fear of its fulfilment, shall be punished by imprisonment of up to three years.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 62/97; amend. " SG 26/10) For threat against an official or a representative of the public during or on occasion of fulfilment of his duty or function, or against a person under international protection, the penalty shall be imprisonment of up to five years.

(3) (Amend. - SG 62/97; amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, amend. " SG 26/10, suppl. - SG 16/19, amend. - SG 67/23) The penalty shall be imprisonment for up to six years when:

1. the perpetrator threatened with murder;
2. the act was committed by a person under art. 142, para 2, item 6 and 8;
3. the act was committed in the conditions of domestic violence;
4. the act was committed for racist or xenophobic motives.

Art. 144a. (New - SG 16/19) (1) Whoever systematically follows another person and thus causing a legitimate fear for one's life or health, or for the life or health of one's fellow human beings, and if the act does not constitute a more serious criminal offence, the penalty for that person shall be imprisonment of up to one year, or probation.

(2) Following someone as per Para. 1 shall be any threatening behaviour towards a given person, which may consist in persecuting the other person, showing to the other person that they are being observed, initiating unwanted communication with them by all possible means of communication.

(3) (Suppl. - SG 67/23) If the act is committed in the context of domestic violence or for racist or xenophobic motives, the penalty shall be imprisonment of up to five years.

Art. 144b. (New - SG 67/23) (1) Whoever, by force, threat or otherwise, tortures another in order for him or another person to give information or a confession in order to be punished for an act that he or another has committed or is suspected of having committed, shall be punished for torture with imprisonment from one to six years, if not subject to a heavier penalty.

(2) When the act is committed by an official during or on the occasion of the performance of his job, the penalty shall be imprisonment from two to eight years.

## **Section VI. Disclosure of a secret of another**

Art. 145. (1) (Prev. text of Art. 145, amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02) Whoever illegally discloses a secret of another which is dangerous for the good name of somebody, and which has been entrusted to him or has become known to him in connection with his profession, shall be punished by imprisonment of up to one year or by a fine of one hundred to three hundred levs.

(2) (New - SG 28/82, in force from 01.07.1982, amend. " SG 103/04, in force from 01.01.2005) Whoever divulges the secret of adoption with an intention to cause

damaging consequences to the adopted person, to the adopting parent or to their family, shall be punished by imprisonment of up to six months or by probation, and when grave circumstances have occurred as a result of the act - by imprisonment of up to one year.

Art. 145a. (New - SG 62/97) (1) Whoever uses information gathered through using special intelligence devices, beyond its purpose of protecting the national security or for the purposes of the criminal proceedings, shall be punished by imprisonment of up to three years and a fine of up to five hundred levs.

(2) If the act is committed by an official who has acquired the information or it has become known to him within the scope of his duty, the penalty shall be imprisonment of one to five years and a fine of up to five thousand levs.

(3) In the cases under the preceding para the court can render a verdict of revocation of rights according to art. 37, para 1, item 6 and 7.

## **Section VII. Insult and Libel**

Art. 146. (1) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 21/00) Whoever says or does something humiliating to the honour or dignity of another in his presence shall be punished for insult by a fine of one thousand to three thousand levs. In this case, the court may also impose the penalty of public reprimand.

(2) If the insulted person has responded immediately with an insult, the court may exempt both of them from punishment.

Art. 147. (1) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 21/00) Whoever publicizes a shameful circumstance about another or imputes a crime to him, shall be punished for libel by a fine of three thousand to seven thousand levs and by public reprimand.

(2) The perpetrator shall not be punished if the truth of the disclosed circumstances or of the crimes attributed is proven.

Art. 148. (1) (Amend. - SG 28/82, in force from 01.07.1982) For an insult:

1. inflicted in public;
2. (amend. - SG 67/23) circulated through the mass media or in any other way;
3. (repealed - SG 67/23)
4. (amend. - SG 10/93, amend. - SG 67/23) by an official or representative of the public during or on occasion of fulfilment of his duty or function;
5. (new - SG 67/23) committed with racist or xenophobic motives,  
(amend. - SG 28/82, in force from 01.07.1982, amend. - SG 67/23) the penalty shall be a fine of five hundred to ten thousand levs and public reprimand.

(2) (Amend. - SG 28/82, in force from 01.07.1982, amend. - SG 21/00, amend. - SG 67/23) For a libel committed under the conditions of the preceding para, as well as for a libel as a result of which grave circumstances have occurred, the penalty shall be a fine of one thousand levs to fifteen thousand levs and public reprimand.

(3) In the cases under Para. 1, item 1 can be applied Para. 2 of Art. 146.

Art. 148a. (New - SG 62/97; amend. - SG 21/00, amend. - SG 67/23) Whoever divulges verbally, through mass media or in any other way, data, circumstances or assertions regarding another, based on illegally acquired information from the archives of the Ministry of the Interior, shall be punished by a fine of five thousand to twenty thousand levs.

### **Section VIII. Debauchery**

Art. 149. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86) (1) (Amend. - SG 107/96; amend. - SG 75/06, in force from 13.10.2006) Whoever commits an act in order to arouse or satisfy a sexual desire without a copulation regarding a person who has not accomplished 14 years of age shall be punished for fornication by imprisonment from one to six years.

(2) (Amend. - SG 107/96; suppl. - SG 27/09; amend. - SG 74/15) The fornication shall be punished by imprisonment between two and eight years, where it was committed:

1. by using force or threat;
2. by making the victim defenceless;
3. by taking advantage of a defenceless victim;
4. by taking advantage of dependency or control relations;
5. in respect of a person engaged in prostitution.

(3) (Amend. - SG 107/96; amend. - SG 38/07) If the act under the preceding paras is repeated, the punishment shall be imprisonment of three to ten years.

(4) (New - SG 107/96) The punishment for fornication shall be imprisonment of three to fifteen years:

1. if it is committed by two or more persons;
2. (revoked - SG 62/97; new - SG 74/15) if committed in respect of a person unable to understand the meaning or significance of the act;
3. (revoked - SG 62/97)
4. (revoked - SG 62/97)

(5) (New - SG 62/97) The punishment for fornication shall be imprisonment of five to twenty years:

1. if the subject of fornication have been two or more minors;
2. if a serious bodily harm has been caused or a suicide attempt has followed;
3. if it represents a dangerous recidivism;
4. (new - SG 38/07) if it represents a particularly severe case.

Art. 150. (1) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86, amend. - SG 107/96; amend. - SG 75/06, in force from 13.10.2006; prev. text of Art. 150, amend. and suppl. - SG 27/09; amend. - SG 26/10) Whoever commits an act with the purpose of arousing or satisfying a sexual desire without copulation regarding a person who has accomplished 14 years of age, by using force or threat, availing himself of

his helpless status or by bringing him to such a status or by taking advantage of dependency or control shall be punished by imprisonment from two to eight years.

(2) (New - SG 74/15) The penalty under Para 1 shall be imposed also a person who has committed the act referred to in Para 1 in respect of a juvenile engaged in prostitution.

(3) (New - SG 27/09; amend. " SG 26/10; prev. text of Para 02, amend. and suppl. - SG 74/15) There the act referred to in Para 1 was committed in respect of a person unable to understand the meaning and significance of the act, or the act qualifies as a explicitly severe case, the penalty shall be imprisonment from three to ten years.

Art. 151. (1) (Amend. - SG 75/06, in force from 13.10.2006) Whoever copulates with a person who has not accomplished 14 years of age, inasmuch as the act does not constitute a crime according to Art. 152, shall be punished by imprisonment of two to six years.

(2) (New - SG 74/15) Where the act referred to in Para. 1 was committed:

1. by taking advantage of a position of dependency or supervision;
2. in respect of a person under the age of 14, engaged in prostitution;
3. by two or more persons, the punishment shall be imprisonment between two and eight years.

(3) (New - SG 27/09; amend. " SG 26/10; amend. " SG 26/10; amend. " SG 26/10; prev. text of Para 02 - SG 74/15) Where the act referred to in Para 1 was committed with a juvenile by taking advantage of dependency or control, the penalty shall be imprisonment from one to five years.

(4) (prev. text of Para 02 - SG 27/09; amend. " SG 26/10; prev. text of Para 03 - SG 74/15) Whoever copulates with a person who has accomplished 14 years of age, who does not understand the characteristic or the importance of the act, shall be punished by imprisonment of up to five years.

Art. 152. (1) Whoever copulates with a female person:

1. unable to defend herself and without her consent;
  2. forcing her to it by force or threat;
  3. by bringing her to a helpless state,
- shall be punished for rape by imprisonment of two to eight years.

(2) The punishment for rape shall be imprisonment of three to ten years:

1. (amend. - SG 92/02) when the raped woman has not accomplished eighteen years of age;
2. when she is a descending kinswoman;
3. (new - SG 28/82, in force from 01.07.1982) when it is committed for a second time.

(3) (Amend. - SG 28/82, in force from 01.07.1982) The punishment for rape shall be imprisonment of three to fifteen years:

1. when it has been committed by two or more persons;
2. when an average bodily harm has been caused;
3. when a suicide attempt has followed;
4. (new - SG 92/02) if it has been committed for the purpose of engagement in subsequent lewd activities or prostitution;

5. (prev. item 4 - SG 92/02) if it represents a dangerous recidivism.

(4) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 92/02) The penalty for rape shall be imprisonment of ten to twenty years:

1. if the raped woman has not accomplished fourteen years of age;
2. if severe bodily harm has been caused;
3. if a suicide attempt has followed;
4. if it represents a particularly severe case.

Art. 153. (Amend. - SG 75/06, in force from 13.10.2006) Whoever copulates with another person by using his/her employment or material dependence on him/her, shall be punished by imprisonment of up to three years.

Art. 154. Copulation between ascendants and descendants, between brothers and sisters and between adopter and adopted shall be punished by imprisonment of up to three years.

Art. 154a. (1) (New - SG 27/09; prev. text of Art. 154a, amend. - SG 74/15) Whoever commits fornication or copulation with a juvenile practising prostitution shall be punished by imprisonment of up to three years.

(2) (New - SG 74/15) Where the act under Para 1 was repeated or committed by two or more persons, the penalty shall be imprisonment between one and five years.

Art. 155. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93; amend. - SG 62/97; amend. - SG 92/02; amend. - SG 26/04; amend. - SG 75/06, in force from 13.10.2006) Whoever persuades another person to prostitute or bawds to fornication or to copulation shall be punished by imprisonment of up to three years and a fine of one thousand to three thousand levs.

(2) (Amend. - SG 10/93; SG 62/97; amend. - SG 75/06, in force from 13.10.2006) Whoever provides systematically premises to different persons for sexual intercourse or for fornication shall be punished by imprisonment of up to five years and by a fine of one thousand levs to five thousand levs.

(3) (New - SG 62/97; amend. - SG 92/02; amend. - SG 75/06, in force from 13.10.2006) The punishment for the acts under para 1 and 2, committed with the motive to profit, shall be imprisonment of one to six years and a fine of five thousand levs to fifteen thousand levs.

(4) (New - SG 21/00; amend. - SG 75/06, in force from 13.10.2006) Whoever persuades or forces another person to using narcotic substances or their analogues for the purpose of prostituting, copulation, fornication or carrying out sexual intercourse or act of sexual satisfaction with a person of the same sex, shall be punished by imprisonment of five to fifteen years and by a fine of ten thousand to fifty thousand levs.

(5) (New - SG 21/00; suppl. â€“ SG 75/06, in force from 13.10.2006; amend. - SG 38/07) When the act under para 1-4 has been committed:

1. by a person who acts on behalf of or in fulfillment of a decision of an organized criminal group;
2. against a person less than 18 years of age or insane;

3. against two or more persons;
4. repeatedly;
5. in the context of dangerous recidivism,

the penalty in the cases of Para 1 and 2 shall be imprisonment from two to eight years and a fine from five thousand to fifteen thousand levs, in the cases of Para 3 - imprisonment from three to ten years and a fine from ten thousand to twenty-five thousand levs, and in the cases of Para 4 - imprisonment of ten to twenty years and fine of one hundred thousand to three hundred thousand levs.

(6) (Prev., para 3, amend. - SG 62/97; prev. para 4 - SG 21/00; revoked - SG 75/06, in force from 13.10.2006)

(7) (Prev., para 4, amend. - SG 62/97; prev. para 5 - SG 21/00; amend. - SG 92/20, in force from 01.01.2005; amend. regarding the entry into force - SG 26/04, in force from 01.01.2004, revoked - SG 103/04, in force from 01.01.2005)

Art. 155a. (New - SG 38/07; amend. - SG 74/15) (1) (Amend. - SG 67/23) Whoever, providing or collecting information by information or communication technologies or by other means, on a person under the age of 18, in order to enable the contact with him for the purpose of performing fornication, copulation, sexual intercourse, prostitution, production of pornographic material or participation in a pornographic performance, shall be punished by imprisonment from three to ten years and a fine from ten thousand to twenty thousand levs.

(2) The penalty under Para 1 shall also be imposed to anybody, who, by information or communication technologies or other means, establishes a contact with a person under the age of 14 in order to perform fornication, copulation, sexual intercourse, for the creation of pornographic materials or participation in a pornographic performance.

Art. 155b. (1) (New - SG 27/09; prev. text of Art. 155b, amend. - SG 26/10, amend. - SG 53/22, amend. - SG 67/23) Whoever persuades a person less than 14 years of age to observe actual, virtual or simulated sexual intercourse between persons of the same or different sex or lascivious display of human sexual organs, sodomy, masturbation, sexual sadism or masochism, shall be punished by imprisonment from three to ten years.

(2) (New - SG 53/22, amend. - SG 67/23) Whoever persuades a person less than 14 years of age to take part in actual, virtual or simulated sexual intercourse between persons of the same or different sex or lascivious display of human sexual organs, sodomy, masturbation, sexual sadism or masochism, shall be punished by imprisonment from five to ten years.

(3) (New - SG 74/15, previous Para. 2 - SG 53/22) Where the act referred to in Para. 1 was committed:

1. by use of force or threats;
2. by taking advantage of a position of dependency or supervision;
3. by two or more persons who have agreed between themselves in advance;
4. (amend. - SG 53/22, amend. - SG 67/23) repeatedly, the punishment shall be imprisonment from five to fifteen years.

Art. 155c. (1) (New - SG 74/15, previous text of Art. 155c, amend. - SG 53/22, amend. - SG 67/23) Whoever, by the use of force or intimidation, or taking advantage of a position of dependency or supervision, induces a juvenile to observe a real, virtual or simulated act of fornication, copulation, sexual intercourse, including sodomy, masturbation, sexual sadism or masochism, or lascivious exhibition of human genitalia, shall be punished by imprisonment from three to seven years.

(2) (New - SG 53/22, amend. - SG 67/23) Whoever, through the use of force or threats, or through the use of a position of dependence or supervision, persuades a juvenile to participate in an actual, virtual or simulated fornication, copulation, sexual intercourse, including sodomy, masturbation, sexual sadism or masochism, as well as lascivious display of human genitalia, shall be punished by imprisonment from three to ten years.

Art. 156. (Amend. - SG 10/93; amend. - SG 62/97) (1) (Amend. " SG 75/06, in force from 13.10.2006, amend. - SG 67/23) Whoever abducts another person for the purpose of debauchery shall be punished by imprisonment of three to ten years and by a fine of up to ten thousand levs.

(2) (New - SG 62/97; amend. " SG 75/06, in force from 13.10.2006) The penalty shall be imprisonment of five to twelve years when:

1. the abducted person has not accomplished 18 years of age;
2. the abducted person has been placed at a disposal for debauchery, or
3. the abduction has had the purpose of placing the person at a disposal for debauchery outside the country.

(3) (New " SG 75/06, in force from 13.10.2006) The penalty shall be imprisonment of five to fifteen years and a fine of five thousand to twenty thousand levs, when:

1. the act is committed by a person who acts by an order or in fulfilment of a decision of an organised criminal group;
2. the abducted person is taken for the purpose of lewd activities out of the country;
3. the act represents a dangerous recidivism.

Art. 157. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 74/15) (1) Whoever carries out sexual intercourse or an act of sexual satisfaction with a person of the same sex by using force or threat or using a state of dependence or supervision, as well as with a person unable to defend himself, shall be punished by imprisonment of two to eight years.

(2) (Amend. - SG 67/23) Where the act referred to in Para 1 has been committed with regard to a juvenile engaged in prostitution, the penalty shall be imprisonment from five to ten years.

(3) (Amend. - SG 67/23) In case the act under para 1 has been committed with regards to a person, who has not accomplished 14 years of age, the penalty shall be imprisonment from five to twelve years.

(4) (Amend. - SG 67/23) Whoever carries out sexual intercourse or acts of sexual satisfaction with a person of the same sex under 14 years of age, shall be punished by imprisonment from three to ten years.

(5) (Amend. - SG 67/23) Where the act referred to in Para 4 has been committed with regard to a person under the age of 14, engaged in prostitution, the penalty shall be imprisonment from three to ten years.

(6) (Amend. - SG 67/23) Whoever carries out sexual intercourse or acts of sexual satisfaction with a person of the same sex having accomplished 14 years of age, who does not understand the nature or the importance of the act shall be punished by imprisonment of three to ten years.

(7) Where the act under Para 1 - 6 qualifies as a particularly serious case the penalty shall be imprisonment of five to twenty years.

Art. 158. (Amend. - SG 28/82, in force from 01.07.1982; revoked - SG 74/15)

Art. 158a. (New - SG 27/09; amend. - SG 74/15) (1) (Amend. - SG 67/23) Whoever who in whatever way recruits, aids or uses a person under the age of 18 or a group of such persons to participate in a pornographic performance shall be punished by imprisonment from three to ten years.

(2) (Amend. - SG 67/23) Whoever forces a person under the age of 18 or a group of such persons to participate in a pornographic performance shall be punished by imprisonment from three to ten years.

(3) (Amend. - SG 67/23) Where the acts under Para 1 and 2 are committed with regard to a person under the age of 14 the penalty shall be imprisonment from three to eight years.

(4) Where a proprietary benefit was received for committing the act, the penalty shall be:

1. (amend. - SG 67/23) in the cases of Para 1 or 2 - imprisonment from three to ten years and fine of ten thousand to twenty thousand levs;

2. in the cases of Para 3 - imprisonment of three to ten years and fine of twenty thousand to fifty thousand levs.

(5) (Amend. - SG 67/23) Whoever observing a pornographic performance with the participation of a person under the age of 18 shall be punished by imprisonment of up to five years.

Art. 158b. (New - SG 74/15) For crimes under Art. 149 - 157 or Art. 158a the court may impose deprivation of a right under Art. 37, Para 1, Item 6 or 7.

Art. 159. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 62/97; amend. - SG 92/02) (1) (Amend. - SG 38/07) Whoever produces, exhibits, broadcasts, offers, sells, lends or in any other way circulates pornographic materials shall be punished by imprisonment of up to one year and a fine of one thousand to three thousand levs.

(2) (New " SG 38/07; suppl. - SG 27/09; amend. - SG 74/15) Whoever circulates pornographic material through information or communication technologies or in another similar way shall be punished by imprisonment of up to two years and fine of one thousand to three thousand levs.

(3) (Prev. text of para 02, amend. - SG 38/07, amend. - SG 53/22) Whoever exhibits, presents, offers, sells, lends or in any other way circulates pornographic materials

to persons under 16 years of age shall be punished by imprisonment of up to six years and a fine of up to five thousand levs.

(4) (Amend. â€“ SG 75/06, in force from 13.10.2006; prev. text of para 03, amend. - SG 38/07; amend. - SG 74/15, amend. - SG 67/23) For an act under para 1 - 3, the penalty shall be imprisonment from three to six years and a fine of up to ten thousand levs, where:

1. for the purposes of creation of the pornographic material was used a person under the age of 18 or a person with such an appearance;

2. for the purposes of creation of the pornographic material was used a person unable to understand nature or meaning of the act;

3. committed by two or more persons;

4. committed repeatedly.

(5) (Prev. text of para 04, amend. - SG 38/07, amend. - SG 67/23) When the act under para 1 - 4 has been committed by an errand or in fulfilment of a decision of an organised criminal group, the penalty shall be imprisonment from three to ten years and a fine of up to twenty thousand levs, as the court may rule confiscation of a part or of the whole property of the offender.

(6) (Prev. text of para 05, amend. - SG 38/07; amend. - SG 74/15, amend. - SG 67/23) Whoever keeps or obtains for himself or for another person through information or communication technologies or in any other way pornographic materials for the creation of which a person less than 18 years of age or a person with such appearance has been used, shall be punished by imprisonment of up to five year or a fine of up to ten thousand levs.

(7) (New - SG 74/15) The penalty under Para 6 shall be imposed also to a person consciously accessing by means of information or communication technology pornographic materials, which creation involved the use of a person under the age of 18 or a person with such appearance.

(8) (New - SG 74/15) In the cases of Para 1 - 7 the court may impose also deprivation of a right under Art. 37, Para 1, Items 6 or 7.

(9) (Prev. text of para 06 - SG 38/07; prev. text of Para 07 - SG 74/15) The subject of the crime shall be seized in favour of the state, and if it is missing or has been expropriated, its equivalence shall be awarded.

## **Section IX.**

### **Traffic of people (New - SG 92/02)**

Art. 159a. (New - SG 92/02) (1) (Amend. - SG 27/09; amend â€“ SG 84/13) Whoever gathers, transports, des or receives individuals or groups of people in order to be used for vicious practice, involuntary servitude, mendicancy, removal of organs, tissues cells or bodily fluids or to be kept under compulsory submission regardless of their consent, shall be punished by imprisonment of two to eight years and a fine from three thousand to twelve thousand levs.

(2) (Amend. - SG 27/09) When the act under para 1 is committed:

1. regarding a person under eighteen years of age;

2. by compulsion or by deceiving the person;

3. by kidnapping or illegal deprivation of freedom;  
4. by using a state of dependence;  
5. by malfeasance;  
6. by promising, providing or obtaining benefit,  
7. (new â€“ SG 84/13) by an official during or on occasion of performance of their duties,  
the penalty shall be imprisonment of three to ten years and a fine from ten thousand to twenty thousand levs.

(3) (New â€“ SG 75/06, in force from 13.10.2006; amend. - SG 27/09) In case the act under para 1 has been committed with regards to a pregnant woman with the purpose of selling the child, the penalty shall be imprisonment of three to fifteen years and a fine of twenty thousand to fifty thousand levs.

Art. 159b. (New - SG 92/02) (1) (Amend. - SG 27/09) Whoever recruits, transports, hides or receives individuals or groups of people and transfers them through the border of the country with the purpose under art. 159a, para 1 shall be punished by imprisonment of three to twelve years and a fine from ten thousand to twenty thousand levs.

(2) (Suppl. â€“ SG 75/06, in force from 13.10.2006; amend. - SG 27/09) If the act under para 1 is committed under the conditions of art. 159a, para 2 and 3, the penalty shall be imprisonment of five to twelve years and a fine from twenty thousand to fifty thousand levs.

Art. 159c. (New - SG 27/09; amend â€“ SG 84/13) Whoever uses a person who is a victim of traffic of people for acts of debauchery, for forced labour, mendicancy, removal of organs, tissues cells or bodily fluids or to be kept in forced obedience regardless of his consent shall be punished by imprisonment from three to ten years and fine from ten thousand to twenty thousand levs.

Art. 159d. (New - SG 27/09) Where the act under Art. 159a - 159c represents a dangerous recidivism or is committed on the order or as execution of the decision of an organized criminal group, the penalty shall be imprisonment of five to fifteen years and a fine of twenty thousand to one hundred thousand levs, whereby the court may also order the confiscation of part or the whole property of the perpetrator.

### **Additional provisions**

Art. 160. (1) (Previous text Art. 160 - SG 54/78, amend. â€“ SG 75/06, in force from 13.10.2006; amend. â€“ SG 26/10) The court can rule revoking of right under art. 37, para 1, item 6 or 7 for the crimes under art. 116, para 1, item 2, 123, 126, Art. 131, para 1, item 2, 134, Art. 142, para 2 and 3.

(2) (New - SG 54/78; deleted - SG 28/82, in force from 01.07.1982)

## **SPECIAL PROVISION**

Art. 161. (1) (Amend. - SG 28/82, in force from 01.07.19; amend. - SG 89/86; amend. - SG 50/95; amend. - SG 21/00, prev. text of Art. 161 - SG 92/02; amend. - SG 26/04, amend. - SG 16/19) For a light bodily harm under art. 130 and Art. 131, para 1, item 3 - 5, for a light and average bodily harm under art. 132, for the crimes under art. 144, para 1, Art. 145, 146 - 148a, as well as for a bodily harm under art. 132, 133 and 134 inflicted on an ascendant, descendant, spouse, brother or sister the criminal proceedings shall be instituted upon a complaint of the aggrieved.

(2) (New - SG 92/02, amend. - SG 16/19) For bodily harm under Art. 129, caused to an ascendant, descendant, spouse, brother or sister, as well as for crimes under art. 133, art. 135, para 1, 3 and 4, art. 139 -141 and Art. 144a, Para. 1, the criminal prosecution of general nature shall be instituted upon a complaint of the aggrieved to the prosecution and it cannot be terminated at his request.

### **Chapter three. CRIMES AGAINST CITIZENS' RIGHTS**

#### **Section I.**

#### **Crimes against the equality of citizens (Title amend. â€“ SG 33/11, in force from 27.05.2011)**

Art. 162. (1) (Amend. - SG 27/09; amend. - SG 33/11, in force from 27.05.2011, suppl. - SG 67/23) Whoever, through speech, printed matter or other means for mass information, through electronic information systems or in any other way, propagates or incites discrimination, violence or hatred based on race, skin colour, origin, nationality or ethnicity or sexual orientation, shall be punished by imprisonment from one to four years and by fine from five thousand to ten thousand levs and by public reprimand.

(2) (Amend. - SG 27/09; amend. - SG 33/11, in force from 27.05.2011, suppl. - SG 67/23) Whoever uses violence against another or damages his property because of his race, skin colour, origin, nationality, ethnic origin, religion, political conviction or sexual orientation, shall be punished by imprisonment from one to four years and by fine from five thousand to ten thousand levs and also by public reprimand.

(3) (Amend. - SG 27/09) Whoever forms or heads an organisation or a group whose goal is the perpetration of the acts under Para 1 and 2 or systematically allows the commission of such acts shall be punished by imprisonment of one to six years and by fine from ten thousand to thirty thousand levs and also by public reprimand.

(4) Any member of such an organisation or a group shall be punished by imprisonment of up to three years and by a public reprimand.

(5) (New - SG 28/82, in force from 01.07.1982; amend. - SG 92/02, in force from 01.01.2005; amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004; revoked â€“ SG 103/04, in force from 01.01.2005)

Art. 163. (1) (Suppl. - SG 27/09, amend. - SG 67/23) Persons who participate in a crowd gathered to attack groups of the population, individual citizens or their property

in connection with their race, skin colour, origin, nationality, ethnicity or sexual orientation, shall be punished:

1. the instigators and leaders - by imprisonment of up to five years;
2. (amend. " SG 103/04, in force from 01.01.2005) all the rest - by imprisonment of up to one year or by probation.

(2) If the crowd or some of the participants are armed, the penalty shall be:

1. for the instigators and leaders - imprisonment of one to six years;
2. for all the rest - imprisonment of up to three years.

(3) If an attack has been carried out and as a result of it a serious bodily harm or death has occurred, the instigators and the leaders shall be punished by imprisonment of three to fifteen years and all the rest - by imprisonment of up to five years, unless they are subject to a more severe penalty.

## **Section II. Crimes against the religion**

Art. 164. (Amend. " SG 103/04, in force from 01.01.2005, amend. - SG 27/09) (1) (Suppl. - SG 74/15) Whoever preaches or incites discrimination, violence or hatred on religious grounds through speech, printed matter or other means for mass information, through electronic information systems or in any other way shall be punished by imprisonment of up to four years or by probation, as well as by fine from five thousand to ten thousand levs.

(2) (Suppl. - SG 67/23) Whoever desecrates, destroys or damages a religious temple, a home of prayer, a shrine or a building adjacent to them, their symbols, graves or gravestones shall be punished by imprisonment of up to three years or by probation, as well as by a fine from three thousand to ten thousand levs.

(3) (New - SG 67/23) The punishment shall be imprisonment for up to five years or probation, as well as a fine of five thousand to ten thousand BGN, when the act under Para. 2 was committed with racist or xenophobic motives.

Art. 165. (1) Whoever, by force or threat, obstructs the citizens to profess their faith or carry out their rituals and services which do not violate the laws of the country, the public peace and the good morals shall be punished by imprisonment of up to one year.

(2) The same penalty shall be imposed on those who, in the same way, compel others to participate in religious rituals and services.

(3) For the acts under art. 163 committed against groups of the population, individual citizens or their property in connection with their religious belonging shall apply the penalties stipulated by it.

Art. 166. (Suppl. - SG 28/82, in force from 01.07.1982; amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, amend. - SG 103/04, in force from 01.01.2005; amend. - SG 27/09) Whoever forms a political organisation on religious grounds or whoever, through speech, printed matter, action or in any other way, uses the church or the religion for propaganda against

the state authority or its activities, shall be punished by imprisonment of up to three years, unless he is a subject to a more severe penalty.

### **Section III.**

#### **Crimes against the political rights of citizens (Title amend. - SG 1/91)**

Art. 167. (1) (Amend. - SG 1/91, amend. - SG 103/04, in force from 01.01.2005, prev. text of art. 167 - SG 75/06, in force from 13.10.2006; amend. - SG 27/09; suppl. â€“ SG 19/14, in force from 05.03.2014; amend. - SG 74/15) Whoever, through violence, fraud, threat or in any other illegal way obstructs somebody to exercise his electoral rights or to be elected or to vote in a referendum or participate in a petition to hold a referendum, shall be punished by imprisonment of one to three years or by fine from one thousand to ten thousand levs.

(2) (New â€“ SG 75/06, in force from 13.10.2006; amend. and suppl. - SG 27/09; suppl. â€“ SG 19/14, in force from 05.03.2014; amend. - SG 74/15) Whoever offers or provides another person with material profit with the purpose of persuading him/her to exercise his/her electoral right in favour of a definite candidate, political party or coalition or to vote in a referendum in a certain way shall be punished by imprisonment of one to six years or by fine from ten thousand to twenty thousand levs.

(3) (New â€“ SG 85/07, in force from 23.10.2007; amend. and suppl. - SG 27/09; amend. - SG 17/13; suppl. â€“ SG 19/14, in force from 05.03.2014; amend. - SG 74/15) Whoever organizes offering or provision of proprietary benefit to another person with the purpose to persuade him to exercise his voting right in favour of a certain candidate, political party or coalition or to vote in a referendum in a particular manner shall be punished with deprivation of liberty from one up to seven years and with a fine from ten thousand to twenty five thousand levs.

(4) (New - SG 27/09; suppl. â€“ SG 19/14, in force from 05.03.2014) The penalty under Para 3 shall be imposed also to any person providing material profit to persons under Para 2 and 3 to be offered or given to another person with the aim of persuading him to exercise his voting rights in favour of a certain candidate, political party or coalition or to vote in a referendum in a particular way.

(5) (New â€“ SG 19/14, in force from 05.03.2014; amend. - SG 74/15) Where the deed under paras 1 to 4 is committed by an official during or on occasion of performance of their duties, the punishment shall be imprisonment of two to seven years and a fine of ten thousand to thirty thousand levs.

(6) (New - SG 27/09; prev. text of para 5, amend. â€“ SG 19/14, in force from 05.03.2014) In the cases under Para 2, 3, 4 and 5, the court shall impose also deprivation of rights under Art. 37, Para 1, Item 6.

(7) (New â€“ SG 19/08; prev. text of Para 4, suppl. - SG 27/09; prev. text of para 6 â€“ SG 19/14, in force from 05.03.2014) The doer under Para. 2 shall not be punished, provided that he/she voluntarily notifies a relevant authority of a perpetrated crime under Para. 3 and 4.

Art. 167a. (1) (New â€“ SG 85/07, in force from 23.10.2007; prev. Art. 167a â€“ SG 19/08; amend. - SG 27/09; suppl. â€“ SG 19/14, in force from 05.03.2014, suppl.

- SG 88/20) Whoever requests or receives a proprietary benefit in order to exercise his voting right in favour of a certain candidate, political party or coalition, or to vote in a referendum in a certain way, shall be punished with deprivation of liberty for up to three years or with fine from one thousand to five thousand levs.

(2) (New " SG 19/08; amend. - SG 27/09) The doer shall not be punished, provided that he/she voluntarily notifies a relevant authority of a perpetrated crime under Art. 167a, par. 2, 3 or 4.

Art. 168. (1) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02; amend. " SG 103/04, in force from 01.01.2005, prev. text of Art. 168 - SG 75/06, in force from 13.10.2006; suppl. " SG 19/14, in force from 05.03.2014) Whoever exercises the right to vote or votes in a referendum without having such a right shall be punished with probation of up to six months or by a fine of one hundred to three hundred levs.

(2) (New " SG 75/06, in force from 13.10.2006; suppl. " SG 19/14, in force from 05.03.2014) Whoever exercises the right to vote two or more times in one election or votes twice or more in a referendum, shall be punished with probation and by a fine of five hundred to two thousand levs.

Art. 168a. (1) (New " SG 19/14, in force from 05.03.2014) (1) (Amend. - SG 74/15) Whoever, in violation of the established rules, prints out election ballots shall be punished by imprisonment of one to six years and a fine of one thousand to three thousand Levs.

(2) The penalty envisaged in Para. 1 shall also be imposed on those who illegally hold or distribute ballots.

Art. 169. (Amend. " SG 103/04, in force from 01.01.2005, suppl. " SG 19/14, in force from 05.03.2014; amend. - SG 74/15) An official, as well as a member of an election commission, who violates the secret of the vote or in any way whatsoever unmakes election or referendum results, shall be punished by imprisonment of one to five years.

Art. 169a. (New - SG 1/91; amend. - SG 10/93; amend. - SG 92/02) Whoever, by violence, threat or in any other illegal way, forces somebody, against his convictions or his will, to join or leave a political party, organisation, movement or coalition with a political purpose, shall be punished by imprisonment of up to three years or a fine of one hundred to three hundred levs.

Art. 169b. (New - SG 1/91; amend. - SG 10/93; amend. - SG 92/02) Whoever, by violence, threat or in any other illegal way, obstructs somebody to exercise his constitutional political rights shall be punished by imprisonment of up to three years or a fine of one hundred to three hundred levs.

Art. 169c. (New - SG 1/91) When the act under art. 169a and 169b is committed by an official during or on occasion of fulfilment of his official duties, the penalty shall be imprisonment of up to five years.

Art. 169d. (New - SG 27/09) (1) Whoever forms or leads a group, which has the purpose of committing crimes under this Section shall be punished by imprisonment from one to eight years.

(2) Whoever participates in such a group shall be punished by imprisonment up to six years.

(3) Any participant in the group who voluntarily surrenders to the authorities, reveals everything he knows about the group and thus considerably facilitates the finding and proving of crimes committed by it shall be punished under the conditions of Art. 55.

(4) No penalty shall be imposed on a participant in the group who voluntarily surrenders to the authorities and reveals the group before it or he commit another crime under this Section.

#### **Section IV.**

#### **Infringing the inviolability of a home, premises or vehicle (Title amend. - SG 28/82, in force from 01.07.1982)**

Art. 170. (Amend. - SG 62/97; amend. " SG 103/04, in force from 01.01.2005) (1) Whoever enters another's home, using for this purpose force, threat, trickery, contrivance, abuse of power or special technical means, shall be punished with imprisonment for up to three years or probation for up to six months.

(2) (Amend. - SG 62/97) If the deed under the preceding para is committed at night or by an armed person, or by two or more persons, the penalty shall be imprisonment of one to five years.

(3) (New - SG 28/82, in force from 01.07.1982, amend. - SG 62/97) If the deeds under the preceding paras are aimed at a home, vehicle or official premises of a person under international protection, the penalty shall be: under para 1 - imprisonment of one to five years and under para 2 - imprisonment of two to eight years.

(4) (Previous Para. 3, amend. - SG 28/82, in force from 01.07.1982, amend. - SG 62/97) Whoever stays illegally in another's home despite the explicit invitation to leave it shall be punished by imprisonment of up to one year.

#### **Section V.**

#### **Infringing the inviolability of the correspondence**

Art. 171. (1) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93) Whoever illegally:

1. opens, forges, hides or destroys another's letter, telegram, sealed papers, package or the like;

2. (amend. - SG 92/02) takes another's, although opened, letter or telegram with the purpose of learning their contents or, with the same purpose, submit to somebody else another's letter or telegram,

3. (new - SG 92/02) learns an announcement not addressed to him, send by electronic means, or diverts such message from its addressee,

shall be punished by imprisonment of up to one year or by a fine of one hundred to three hundred levs.

(2) (Amend. â€“ SG 75/06, in force from 13.10.2006) If the act is committed by an official who has used his official position, the penalty shall be imprisonment of up to two years, and the court can also rule revoking of a right according to art. 37, para 1, item 6.

(3) (Suppl. - SG 92/02, suppl. â€“ SG 101/17) Whoever, by using special technical devices, illegally accesses to, or learns a message not addressed to him, transmitted by a telephone, telegraph, through a computer network or other telecommunication device, shall be punished by imprisonment of up to two years.

(4) (New â€“ SG 101/17) The punishment under Para. 3 shall also be imposed where subject of the act are computer data, sent in the frames of one or between more information systems, including electric magnet emissions from an information system.

(5) (New â€“ SG 38/07, former Para. 4, suppl. â€“ SG, 101/17) When the act referred to in para 3 and 4 has been committed from mercenary motives or considerable damages have been caused, the penalty shall be imprisonment of up to three years and a fine of up to five thousand levs.

Art. 171a. (New â€“ SG 26/10) (1) (Amend. and suppl. - SG 24/15, in force from 31.03.2015) Whoever illegally acquires, stores, discloses or distributes traffic data which is being collected, processed, preserved or used according to the Electronic Communications, Act shall be punished by imprisonment of up to three years or probation.

(2) In those cases where the act under para 1 has been committed out of motives to profit, the penalty shall be imprisonment from one to six years.

## **Section VI.**

### **Crimes against the employment rights of citizens**

Art. 172. (Amend. - SG 28/82, in force from 01.07.1982; amend. SG 1/91) (1) (Amend. - SG 10/93; amend. and suppl. - SG 92/02, amend. - SG 67/23) Whoever deliberately obstructs somebody to occupy a position or forces him to leave the job because of his nationality or ethnicity, race, skin colour, religion, social origin, sexual orientation, membership or no membership in a trade union or other organisation, a political party, organisation, movement or coalition with a political purpose or because of his or his next of kin political or other convictions shall be punished by imprisonment of up to three years or by a fine of up to five thousand levs.

(2) An official who does not fulfil an order or an enacted decision for reinstatement of incorrectly discharged worker or employee shall be punished by imprisonment of up to three years.

## **Section VII.**

### **Crimes against intellectual property (Title amend. - SG 50/95)**

Art. 172a. (New - SG 50/95) (1) (Amend. - SG 62/97; amend. â€“ SG 75/06, in force from 13.10.2006, amend. - SG 53/22) Whoever records, reproduces, circulates, broadcasts or transmits or uses in any other way another personâ€™s subject of copyright or related right or copies of it, without the consent of the proprietor of the respective right required by the law, shall be punished by imprisonment from one to six years and by a fine of up to ten thousand levs.

(2) (New - SG 67/23) The punishment under Para. 1 shall also be imposed on the one who builds or maintains an information system, or provides a service to the information society for the purpose of committing crimes under Para. 1 and receiving material benefit.

(3) (Amend. - SG 62/97; amend. â€“ SG 75/06, in force from 13.10.2006, amend. - SG 53/22, previous Para. 2, amend. - SG 67/23) Whoever, without the consent required by law, holds material media containing another person's copyright or related right matter, where the monetary value of one or more of the matter exceeds 70 minimal wages and the matter exceed fifty copies, or holds a matrix for the reproduction of such media, shall be liable to imprisonment from two to six years and a fine from two thousand to ten thousand levs.

(4) (Amend. - SG 62/97; amend. â€“ SG 75/06, in force from 13.10.2006, amend. - SG 53/22, previous Para. 3, amend. - SG 67/23) If the act under para 1-3 has been committed again or substantial harmful consequences have been caused, the penalty shall be imprisonment of two to eight years and a fine of three thousand to fifteen thousand levs.

(5) (New â€“ SG 75/06, in force from 13.10.2006, previous Para. 4, amend. - SG 67/23) In case the act under Para. 3 is in particularly large extent, the penalty shall be imprisonment of two to eight years and a fine of ten thousand to fifty thousand levs.

(6) (Prev. text of para 4 - SG 75/06, in force from 13.10.2006, previous Para. 5 - SG 67/23) For minor cases the perpetrator shall be punished through administrative channels according to the Copyright and its related rights Act.

(7) (Prev. text of para 5 - SG 75/06, in force from 13.10.2006, previous Para. 6, amend. - SG 67/23) When the subject of the crime belongs to the perpetrator, it shall be confiscated in favour of the state.

Art. 172b. (New â€“ SG 75/06, in force from 13.10.2006) (1) (Amend. and suppl. - SG 53/22) Whoever, without the consent of the owner of the exclusive right, uses in his/her commercial activity a trademark, invention, utility model, industrial design, variety of a plant or breed of an animal, subject of this exclusive right, or uses a geographic name or its imitation without legal ground, shall be punished by imprisonment from one to six years and a fine of up to ten thousand levs.

(2) (Amend. - SG 53/22) In case the act under para 1 has been committed repeatedly or substantial harmful consequences have occurred, the penalty shall be imprisonment of five to eight years and a fine from ten thousand to fifteen thousand levs.

(3) (Amend. - SG 67/23) When the subject of the crime belongs to the perpetrator, it shall be confiscated in favour of the state.

Art. 173. (1) (Amend. - SG 10/93; amend. - SG 92/02, amend. - SG 53/22) Whoever issues or uses under his name or under a pseudonym another's work of science, literature or art, or a substantial part of such a work, shall be punished by imprisonment of up to three years or by a fine of one hundred to three hundred levs, as well as by public reprimand.

(2) (Amend. - SG 81/99, in force from 14.12.1999) The same penalty shall be imposed on those who present for registration or register in his name another's invention, utility model or industrial design.

(3) (New - SG 53/22) When the deed under Para. 1 was committed on the internet or significant harmful consequences were caused, the punishment shall be imprisonment for up to six years and a fine of up to ten thousand levs.

Art. 174. (Amend. - SG 10/93; amend. - SG 81/99, in force from 14.12.1999; amend. - SG 92/02) Whoever, by abusing his professional position, joins as a co-author of an invention, utility model or industrial design or of a work of science, literature or art, without having participated in the creative work for its creation, shall be punished by imprisonment of up to two years or by a fine of one hundred to three hundred levs, as well as by public reprimand.

### **Section VIII.**

#### **Crimes against the freedom of meetings, rallies and manifestations**

Art. 174a. (New - SG 10/90) (1) Whoever, by force, fraud, threat, or in any other illegal way, disrupts or obstructs a meeting, a rally or a manifestation admissible by the Meetings, rallies and manifestations Act, shall be punished by imprisonment of up to two years.

(2) An organiser who, in violation of art. 12, para 3 and art. 13, para 1 of the Act on Meetings, Rallies and Parades, holds or continues to hold a disrupted meeting, rally or manifestation shall be punished by imprisonment of up to one year.

### **Section IX.**

#### **Crimes against the right of employees to join trade unions and associations (New - SG 67 of 2023)**

Art. 174b. (New - SG 67/23) (1) Whoever, through violence, threats or in any other illegal way, prevents someone from exercising his right to join a trade union by forcing him, contrary to his beliefs or will, to become a member or to renounce membership in a trade union organization, or prevents him from creating one, shall be punished by imprisonment for up to three years or a fine of up to five thousand BGN.

(2) Whoever, through violence, threats or in any other illegal way, prevents someone from realizing the rights arising from the exercise of his right to join a trade union, shall be punished by imprisonment for up to one year or a fine of up to three thousand BGN.

(3) If the act under Para. 1 or 2 is committed again, the penalty shall be imprisonment for up to five years or a fine of up to ten thousand BGN.

### **Special provision**

Art. 175. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 62/97; amend. - SG 92/02) (1) (Suppl. - SG 53/22, amend. and suppl. - SG 67/23) Criminal prosecution shall be instituted at the complaint of the victim for crimes under art. 170, para 1 and 4, art. 171, para 1, Art. 172, para 2, art. 173, Para. 1 and 2 and Art. 174b.

(2) (Amend. - SG 19/08) For crimes under Art. 172, para 1 and art. 174 criminal prosecution shall be instituted upon a complaint of the aggrieved to the prosecution and it cannot be terminated at his request.

### **Chapter four.**

## **CRIMES AGAINST MARRIAGE, FAMILY AND YOUTH**

### **Section I.**

#### **Crimes against marriage and family**

Art. 176. (1) Whoever, in entering matrimony, deliberately conceals from the registrar's official a legal obstacle for the marriage shall be punished by imprisonment of up to two years.

(2) (Amend. - SG 75/06, in force from 13.10.2006) A registrar's official who officiates a wedding knowing that there is a legal obstacle for the marriage, shall be punished by imprisonment of up to three years, and the court can also rule revoking of a right according to art. 37, para 1, item 6.

(3) (Revoked - SG 51/00)

Art. 177. (Amend. - SG 16/19) (1) Whoever forces another person into marriage by using violence, threats, or misusing power, shall be punished by imprisonment of one to six years.

(2) The penalty under Para. 1 shall also be imposed on any person who kidnaps another person in order to force them to marry.

(3) The penalty under Para. 1 shall also be imposed on any person who, in order to force another into marriage, misleads them into crossing onto the territory of another country.

(4) The penalty under Para. 1 shall also be imposed on any person who, in any way whatsoever, incites someone - unable to understand the nature and significance of the act - to marry or to travel to the territory of another state with the aim of coercing them into forced marriage.

(5) The penalty shall be imprisonment from three to eight years, where the act under the preceding paragraphs has been committed:

1. by a parent, other relative or guardian;
2. towards a minor;

3. towards two or more persons;
4. with self-serving motives.

Art. 178. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93; amend. - SG 92/02) A parent or another relative who receives ransom in order to allow his daughter or relative to marry shall be punished by imprisonment of up to one year or by a fine of one hundred to three hundred levs, as well as by public reprimand.

(2) The same penalty shall be imposed on those who give it or mediate in the giving and receipt of such a ransom.

Art. 179. (1) Whoever, in the course of a legal marriage, concludes another, shall be punished for polygamy by imprisonment of up to three years.

(2) The same penalty shall be imposed to those who enter into marriage with a person of whom he/she knows that he/she is legally married.

(3) If the first marriage is annulled or if it is dissolved on other grounds, the penalty shall be imprisonment of up to one year or probation.

Art. 180. (Revoked - SG 1/91)

Art. 181. (Amend. " SG 103/04, in force from 01.01.2005) Whoever reneges his/her obligation to a spouse, ascendant or descendant, unable to take care of himself, thus putting him in a situation of a serious hardship, unless the act represents a more serious crime, shall be punished by probation, as well as by public reprimand.

Art. 182. (1) (Amend. " SG 103/04, in force from 01.01.2005; amend. " SG 26/10) A parent or a guardian who leaves a person under parental care or guardianship without supervision and enough care, thus creating a danger for his physical, mental or moral development, shall be punished by imprisonment of up to three years, as well as by public reprimand.

(2) (New - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02; amend. " SG 103/04, in force from 01.01.2005; amend. " SG 26/10, D°mend. - SG 16/19) A parent or another relative who does not fulfil, or in any other way obstructs the fulfilment of a court ruling regarding the exercising of parental rights or regarding personal contacts with a child, shall be punished by probation and a fine from BGN 2 000 to 5 000, and in particularly grave cases - by imprisonment of up to six months and a fine from BGN 5 000 to 10 000.

(3) (New - SG 28/82, in force from 01.07.1982) The perpetrator shall not be punished if, after a warning by a respective authority, fulfils the ruling or removes the obstacles for its fulfilment. This provision shall not apply repeatedly.

Art. 182a. (New - SG 26/04) (1) (Amend. " SG 26/10) Whoever, for the purpose of material profit, persuades a parent - through donation, promise, threat or abuse of official position - to abandon his own child or give consent for its adoption, shall be punished by imprisonment of up to three years and a fine of up to two thousand levs.

(2) The penalty under para 1 shall also be imposed on the one who persuades a minor person to give consent for his adoption where the law so requires.

(3) Whoever, for the purpose of illegal material profit, mediates between a person or a family wishing to adopt a child, and a parent wishing to abandon his child, or a woman accepting to carry in her womb a child for the purpose of giving it for adoption, shall be punished by imprisonment of up to two years and a fine of up to three thousand levs.

(4) If the act under para 3 is repeated, the penalty shall be imprisonment of up to three years and a fine of up to four thousand levs.

Art. 182b. (New " SG 75/06, in force from 13.10.2006) (1) A female person, who gives her consent for the sale of her child in the country or abroad, shall be punished by imprisonment of one to six years and a fine of five thousand to fifteen thousand levs.

(2) The penalty under para 1 shall also be imposed on a pregnant woman, who gives her consent for the sale of her child prior to its birth.

Art. 183. (Amend. - SG 95/75; amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, amend. - SG 103/04, in force from 01.01.2005; suppl. " SG 47/09, in force from 01.10.2009) Whoever, being convicted to support his/her spouse, ascendant, descendant, brother or sister, fails deliberately to fulfil his obligation to the extent of two or more monthly payments, shall be punished with up to one year of imprisonment or with probation.

(2) The same penalty shall be imposed on those who intentionally puts himself in disability of providing support, by either transferring his/her property, by not exercising his/her rights or in any other way.

(3) (Amend. - SG 28/82, in force from 01.07.1982) The perpetrator shall not be punished if, before the ruling of the verdict by the first instance, he/she fulfils the obligation and other harmful consequences have not occurred for the aggrieved. This provision shall not apply repeatedly.

(4) (Amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004) If the act under para 1 and 2 is committed again, the penalty shall be imprisonment of up to two years or probation, as well as public reprimand.

Art. 184. (1) Whoever deliberately swaps with another, hides or abandons a little child or in any other way conceals or replaces the civic status of somebody, shall be punished by imprisonment of up to two years.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02) If this is done for selfish motives to profit, the penalty shall be imprisonment of up to three years and a fine of one hundred to three hundred levs.

Art. 185. (1) (Amend. " SG 26/10) Whoever unwarrantedly takes in or retains another's child who has not accomplished fourteen years of age and does not inform

immediately the authorities or does not return it to his parents or guardian, shall be punished by imprisonment of up to three years.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02; amend. â€“ SG 26/10) If this has been accomplished by force, threat or fraud, or with the intention of using the child for profiting or for lewd purposes, the penalty shall be imprisonment from one to six years and a fine of up to five thousand levs.

Art. 186. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02; amend. â€“ SG 103/04, in force from 01.01.2005; amend. â€“ SG 26/10) Whoever picks up an abandoned or stray child under seven years of age and does not immediately report this to the authorities, his parents or guardian, shall be punished by imprisonment of up to one year or by probation.

## **Section II. Crimes against the youth**

Art. 187. (Amend. â€“ SG 103/04, in force from 01.01.2005; amend. â€“ SG 26/10) Whoever tortures a minor or underage person placed under his care or whose bringing up is assigned to him, unless the act represents a more serious crime, shall be punished by imprisonment of up to three years or by probation, as well as by public reprimand.

Art. 188. (Amend. - SG 74/15) (1) Anyone inducing a person under the age of 18 to commit a crime by using force or by taking advantage of dependency or supervision relations shall be punished by imprisonment of up to five years.

(2) The penalty referred to in Para 1 shall be imposed also to anyone inducing a person under the age of 18 to prostitution by using force or by taking advantage of dependency or supervision relations.

(3) If as a result of an act under Para 1 or 2 harmful consequences have occurred for the physical, mental or moral development of the aggrieved, unless the act represents a more serious crime, the penalty shall be imprisonment of one to six years and public reprimand.

(4) If the act under Para 2 was committed with regard to a person under the age of 14, the penalty shall be imprisonment of one to ten years.

(5) In the cases of Para 1 - 4 the court may impose also deprivation of a right under Art. 37, Para 1, Items 6 or 7.

Art. 189. (1) (Amend. - SG 10/93; amend. - SG 92/02; amend. - SG 27/09) Whoever systematically employs for mendicancy a person under his care shall be punished by imprisonment of one year or by a fine of one thousand to three thousand levs.

(2) (Amend. â€“ SG 103/04, in force from 01.01.2005) If the perpetrator is a parent or a guardian of the victim, the penalty shall be imprisonment of up to two years or probation, as well as public reprimand.

Art. 190. (Amend. - SG 103/04, in force from 01.01.2005, amend. - SG 16/19)  
(1) Whoever, by using violence, threats, or misusing power, forces another person to live together with somebody, shall be punished by imprisonment of one to six years.

(2) The penalty under Para. 1 shall also be imposed on any person who kidnaps someone in order to force them to live together with someone.

(3) The penalty under Para. 1 shall also be imposed on any person who, in order to force someone to live together with them or with another person, misleads them to cross into the territory of another country.

(4) The penalty under Para. 1 shall also be imposed on any person who, in any way whatsoever, incites someone - unable to understand the nature and significance of the act - to live together with another person.

(5) The penalty shall be imprisonment from three to eight years, where the act under the preceding paragraphs has been committed:

1. by a parent, other relative or guardian;
2. towards a minor;
3. towards two or more persons;
4. with self-serving motives.

Art. 191. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 103/04, in force from 01.01.2005) An adult who, without having entered into matrimony, begins a connubial life with a female person who has not accomplished 16 years of age, shall be punished by imprisonment of up to two years or by probation, as well as by public reprimand.

(2) (New - SG 28/82, in force from 01.07.1982, amend. - SG 103/04, in force from 01.01.2005) An adult who persuades or facilitates an underage male and a female person who has not accomplished 16 years of age, to lead a connubial life without marriage, shall be punished by imprisonment of up to two years or by probation.

(3) (Previous Para. 2 - SG 28/82, in force from 01.07.1982, amend. - SG 89/86) If the deed under the preceding paras has been committed against a person who has not accomplished 14 years of age, the penalty shall be imprisonment of two to five years.

(4) (Previous Para. 3, amend. - SG 28/1982, in force from 01.07.1982, repealed - SG 16/19)

Art. 192. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93; amend. - SG 92/02 ; amend. - SG 26/10) A parent or another relative who receives a ransom in order to allow his daughter or relative under 16 years of age to lead a connubial life with another, shall be punished by imprisonment of up to two years or by a fine of up to three hundred BGN.

(2) (New - SG 28/82, in force from 01.07.1982) The same penalty shall be imposed on those who give or mediate in the giving of such a ransom.

Art. 192a. (New - SG 26/04) (1) (Amend. - SG 27/09) Whoever, without a proper permit, employs a person under 18 years of age, shall be punished by imprisonment of up to six months and a fine of one thousand to three thousand BGN.

(2) (Amend. - SG 27/09) If the act under para 1 has been committed with respect to a person under 16 years of age, the penalty shall be imprisonment of one year and a fine of three thousand to five thousand BGN.

(3) (Amend. - SG 27/09) If the act under para 1 is repeated, the penalty shall be imprisonment of up to one year and a fine of two thousand to five thousand levs, and under para 2 "imprisonment of up to three years and a fine of three thousand to eight thousand BGN.

Art. 193. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86) (1) (Amend. - SG 10/93, amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005) Whoever intoxicates with alcoholic beverages a person under 18 years of age, or a mentally impaired person, shall be punished by imprisonment of up to six months or by a fine of up to five hundred BGN.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005; amend. - SG 27/09) Whoever sells alcoholic beverages to a person under 18 years of age, or to a mentally impaired person, for their personal use, shall be punished by a fine of up to one thousand BGN and by probation, and if they systematically do that - by imprisonment of up to three years and a fine of up to three thousand BGN.

## **SPECIAL PROVISION**

Art. 193a. (New - SG 62/97; smend. - SG 92/02; suppl. - SG 26/04 ; revoked " SG 26/10, new - SG 16/19) For any criminal offence under Art. 182, Para. 2, the criminal prosecution shall be initiated following a complaint by the victim.

### **Chapter five. CRIMES AGAINST PROPERTY (Title amend. - SG 10/93)**

#### **Section I. Larceny**

Art. 194. (1) (Amend. - SG 10/93) Whoever takes another's movable property from the possession of another without their consent with the intention of unlawfully appropriating it, shall be punished for larceny by imprisonment of up to eight years.

(2) Larceny shall be qualified even when a part of the chattel belongs to the culprit.

(3) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005) In minor cases, the penalty shall be imprisonment of up to one year or probation, or a fine of one hundred to three hundred levs.

Art. 195. (1) (Amend. - SG 10/93) The penalty for larceny shall be imprisonment of one to ten years:

1. if committed at the time of fire, flooding, ship wreck, catastrophe, war or other social calamity;

2. (amend. - SG 28/82, in force from 01.07.1982) if the stolen chattel is not under permanent supervision;

3. if committed through destruction, damaging or undermining barriers solidly erected for protection of persons or property;

4. (amend. - SG 28/82, in force from 01.07.1982) if a vehicle, a technical device or special means have been used for the larceny;

5. if committed by two or more persons who have agreed in advance for its fulfilment, when it does not represent a minor case;

6. if the larceny has been committed by an official who has taken advantage of his official status, and

7. in non-minor cases, if committed for a second time;

8. (amend. - SG 10/93) if the larceny has been committed from a deceased's grave;

9. (new - SG 62/97) if the larceny has been committed by a person under art. 142, para 2, item 6 and 8.

10. (new - SG 26/04; amend. - SG 33/11, in force from 27.05.2011) if subject of the theft are explosives, pyrotechnic devices, weapons or ammunition for firearms;

11. (new " SG 101/17) if the theft is with the purpose of seeking for funds for committing a crime under Art. 108a, Para. 1, 2, 6 or 7.

12. (new " SG 7/19) if the object of the theft is a motor vehicle.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, 01.01.2005; amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, amend. " SG 103/04, in force from 01.01.2005) The penalty for a grand larceny shall be imprisonment of three to fifteen years, and the court can rule confiscation of up to one second of the property of the culprit.

(3) (New - SG 26/04; amend. " SG 102/06; amend. " SG 102/08; amend. " SG 93/09, in force from 25.12.2009; amend. and suppl. - SG 33/11, in force from 27.05.2011; amend. - SG 79/15, in force from 01.11.2015) The penalty under Para. 2 shall also be imposed for theft of explosives, firearms or ammunition for firearms from the structural units of the Ministry of Interior, from the Ministry of Defence, from the Bulgarian army, from the structures subordinated to the Minister of Defence and from State Agency "State reserve and war-time reserves" from the State Agency for National Security, from Directorate General "Security" and Chief Directorate "Execution of Judgement" at the Ministry of Justice, from the State Intelligence Agency and the National Security Office.

(4) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, previous Para. 3 - SG 26/04; amend. " SG 103/04, in force from 01.01.2005) In minor cases, according to item 2 and 6 of para 1, the penalty shall be imprisonment of up to one year or probation, or a fine of one hundred to three hundred levs.

(5) (Previous Para. 4, amend. - SG 26/04; amend. " SG 103/04, in force from 01.01.2005, amend. " SG 7/19) The penalty for preparation for larceny under Para. 1, items 3, 4 and 12 shall be imprisonment of up to three years or probation.

Art. 196. (1) (Amend. - SG 10/93) The penalty for larceny representing a dangerous recidivism shall be:

1. in the cases of art. 194, para 1 - imprisonment of two to ten years;  
2. (suppl. - SG 26/04) in the cases of art. 195, para 1 and 2 - imprisonment of three to fifteen years, and in the cases under art. 195, para 3 " imprisonment of five to fifteen years.

(2) (Amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, amend. " SG 103/04, in force from 01.01.2005) The court can rule a confiscation of up to one half of the property of the culprit.

Art. 196a. (New - SG 89/86; amend. - SG 10/93; amend. " SG 75/06, in force from 13.10.2006) For a grand larceny, representing a particularly serious case, the penalty shall be imprisonment of ten to twenty years and confiscation of the whole or a part of the property of the culprit.

Art. 197. If, until the conclusion of the court investigation of the first instance court, the chattel is returned or replaced, the penalty shall be:

1. in the cases of art. 194, para 1 - imprisonment of up to five years;  
2. (amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, amend. - SG 26/04; amend. " SG 103/04, in force from 01.01.2005) in the cases of art. 194, para 3 and art. 195, para 4 - probation or a fine of one hundred to three hundred levs;

3. (amend. - SG 89/86) in the cases of art. 195, para 1, item 2 - 6 - imprisonment of up to eight years;

4. (amend. - SG 89/86) in the cases of art. 195, para 2, in connection with art. 194 or with art. 195, para 1, item 2 - 6 - imprisonment of up to eight years;

5. (new - SG 89/86) in the cases of art. 196a - imprisonment of eight to twenty years.

Art. 197a. (New - SG 89/86; revoked - SG 10/93)

## **Section II. Robbery**

Art. 198. (1) (Amend. - SG 10/93) Whoever deforces chattel from another's possession with an intention of misappropriation, using for that purpose force or threat, shall be punished for robbery by imprisonment of three to ten years.

(2) Understood as threat shall be intimidation by such a direct act which exposes to a serious danger the life, the health, the honour or the property of the threatened person or of some other present person.

(3) Robbery shall also be every larceny where the person found at the scene of the crime uses force or threat in order to keep in his possession the stolen chattel.

(4) Robbery shall also be a fact where, in order to deforce the chattel, the person has been brought to unconsciousness or in a helpless state.

Art. 199. (1) (Amend. - SG 10/93) For robbery of possessions:

1. in large amounts;  
2. committed by two or more persons who have agreed in advance to commit larceny or robbery;

3. accompanied by a serious or average bodily harm;

4. (amend. - SG 92/02) representing a dangerous recidivism;

5. (new - SG 92/02) committed by a person acting by an order or in fulfilment of a decision of an organised criminal group,

(amend. - SG 28/82, in force from 01.07.1982; amend. â€“ SG 103/04, in force from 01.01.2005) the penalty shall be imprisonment from five to fifteen years and the court can order confiscation of up to one half of the property of the culprit.

(2) (Amend. - SG 89/86; amend. - SG 10/93; suppl. - SG 50/95) For robbery of chattel:

1. accompanied by a serious or average bodily harm as a result of which death has followed;

2. accompanied by homicide or attempted homicide;

3. (Amend. - SG 153/98) in particularly large scale, if the perpetrator has been armed, the penalty shall be imprisonment of fifteen to twenty years, life imprisonment or life imprisonment without parole. The court can also rule confiscation of the whole or a part of the property of the culprit.

Art. 200. The penalty for preparation of robbery under art. 198 shall be imprisonment of up to two years, and under art. 199 - imprisonment of up to three years.

### **Section III. Misappropriation**

Art. 201. (1) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, suppl. - SG 50/95, suppl. of SG 50/95 declared unconstitutional with Decision No 19 of the Constitutional Court - SG 97/95; amend. â€“ SG 75/06, in force from 13.10.2006, previous text of Art. 201 - SG 83/19) An official who misappropriates another's money, possessions or other valuables, delivered to him as such or entrusted him for keeping or managing, shall be punished for misappropriation in public office by imprisonment of up to eight years, whereas the court can rule confiscation of up to one second of the property of the culprit and deprive him of rights according to art. 37, para 1, item 6 and 7.

(2) (New â€“ 83/19) The penalty under Para. 1 shall also be imposed when the act is committed by a foreign official.

Art. 202. (1) The penalty for misappropriation in public office shall be imprisonment of one to ten years:

1. if, in order to facilitate it, another crime has been committed as well, for which the law does not stipulate a more severe penalty;

2. (amend. - SG 28/82, in force from 01.07.1982) if it has been committed by two or more persons who have conspired in advance.

(2) The penalty for misappropriation in public office shall be imprisonment of three to fifteen years:

1. (amend. - SG 92/02) if it is in large size,

2. (amend. - SG 92/02) if it represents a dangerous recidivism or

3. (new - SG 92/02) if the misappropriated resources are from funds belonging to the European Union or provided by the European Union to the Bulgarian state.

(3) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 92/02, in force from 01.01.2005; amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, amend. " SG 103/04, in force from 01.01.2005) In the cases of the preceding paras, the court shall deprive the culprit of rights according to art. 37, para 1, items 6 and 7. The court can also rule confiscation under Para. 1 up to one half, and under Para. 2 - of a part or of the entire property of the culprit.

Art. 203. (1) (Amend. - SG 89/86; amend. " SG 75/06, in force from 13.10.2006) The penalty for misappropriation in public office in particularly large scale, representing a particularly serious case, shall be imprisonment of ten to twenty years.

(2) (Amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004) The court shall rule confiscation of the whole or a part of the property of the culprit and shall deprive him of rights according to art. 37, para 1 item 6 and 7.

Art. 204. In minor cases of misappropriation in public office, the penalty shall be:

a) (amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005) under art. 201 - imprisonment of up to one year or probation, or a fine of one hundred to three hundred levs;

b) (amend. " SG 103/04, in force from 01.01.2005) under art. 202, para 1 - imprisonment of up to two years or probation.

Art. 205. (1) If the misappropriated money, possessions or valuables are deposited or replaced until the conclusion of the court investigation in the first instance court, the penalty shall be:

1. (amend. - SG 28/82, in force from 01.07.1982) in the cases under art. 201 - imprisonment of up to five years;

2. (amend. - SG 28/82, in force from 01.07.1982) in the cases under art. 202, para 1 - imprisonment of one to seven years;

3. in the cases under art. 202, para 2 - imprisonment of three to ten years;

4. (amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86) in the cases under art. 203 - imprisonment of eight to twenty years;

5. (amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005) in the cases under art. 204, letter "a" - probation or a fine of one hundred to three hundred levs;

6. (amend. â€“ SG 103/04, in force from 01.01.2005) in the cases under art. 204, letter "b" - imprisonment of up to six months or probation.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. â€“ SG 75/06, in force from 13.10.2006) In the cases of item 2, 3 and 4 of the preceding para the court shall also rule revoking of rights according to art. 37, para 1, item 6 and 7, as in the cases of item 3 it can rule confiscation of up to one second of the property of the culprit, and in the cases of item 4 it shall rule confiscation of a part or of the whole property.

Art. 206. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93 ; amend. â€“ SG 26/10) Whoever misappropriates another's chattel, which he possesses or keeps, shall be punished for misappropriation by imprisonment from one to six years.

(2) (Suppl. - SG 92/02) Misappropriation shall also exist when a part of the possession belongs to the perpetrator, as well as when the possession belongs to the perpetrator but it is encumbered by a pawn and the perpetrator administers it illegally, without preserving the rights of the pawn creditor, or when the perpetrator pawns another's possession which makes it difficult to indemnify the creditor.

(3) (New - SG 28/82, in force from 01.07.1982; amend. â€“ SG 75/06, in force from 13.10.2006) If the misappropriation is of a large size or represents a dangerous recidivism, the penalty shall be imprisonment of three to ten years, and the court shall deprive the culprit from rights according to art. 37, para 1, item 6 and 7 and can rule confiscation of a part or of his whole property.

(4) (New - SG 28/82, in force from 01.07.1982; amend. â€“ SG 75/06, in force from 13.10.2006) The penalty for misappropriation of particularly large size, representing a particularly serious case, shall be imprisonment of five to fifteen years, whereas the court shall also rule revoking of rights according to art. 37, para 1, item 6 and 7 and confiscation of a part or of the entire property of the culprit.

(5) (Prev. para 3, amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02; amend. â€“ SG 103/04, in force from 01.01.2005) In minor cases the penalty shall be imprisonment of up to one year or probation, or a fine of one hundred to three hundred levs.

(6) (Prev. para 4, amend. amend. â€“ SG 103/04, in force from 01.01.2005) If the misappropriated property is returned or replaced until the conclusion of the court investigation of the first instance court, the penalty shall be:

1. under para 1 - imprisonment of up to three years;
2. under para 3 - imprisonment of two to eight years;
3. under para 4 - imprisonment of three to twelve years;
4. (amend. - SG 10/93; amend. - SG 92/02, amend. â€“ SG 103/04, in force from 01.01.2005) under para 5 - probation or a fine of one hundred to three hundred levs.

(7) (New - SG 28/82, in force from 01.07.1982; amend. â€“ SG 75/06, in force from 13.10.2006) In the cases of item 2 of the preceding para the court can rule confiscation of up to one second of the property of the culprit and deprive him of rights according to art. 37, Para. 1, item 6 and 7, and in the cases of item 3 - rule confiscation of a part or the whole property of the culprit and revoking of rights according to art. 37, para 1, item 6 and 7.

Art. 207. (Amend. - SG 28/82, in force from 01.07.1982; corr., SG 31/82; amend. - SG 10/93) (1) (Amend. - SG 92/02) Whoever finds another's chattel and, within a week, he does not inform about it the owner, the authorities or those who have lost it, shall be punished by a fine of one hundred to three hundred levs.

(2) The same punishment shall be imposed on the one who unlawfully appropriates someone else's property that has come into his possession by accident or by mistake.

Art. 208. (Amend., SG 92/02) (1) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, amend. - SG 26/04; amend. and suppl. - SG 27/09, in force from 10.04.2009) Whoever discovers a treasure and does not report it to the authorities for seven days shall be punished with probation or a fine of five hundred to one thousand BGN.

(2) (New - SG 10/93; amend. - SG 92/02; amend. - SG 26/04; amend. - SG 27/09, in force from 10.04.2009) Whoever, when seeking, discovers a treasure and does not inform the authorities within two weeks shall be punished by imprisonment of up to three years or by a fine of one thousand to five thousand levs.

(3) (Prev. para 2, amend. - SG 10/93; amend. - SG 92/02; amend. - SG 26/04) If the treasure is of particularly large size, the penalty shall be: under para 1 - imprisonment of up to two years or a fine of five thousand to ten thousand levs, and under para 2 - imprisonment of up to five years or a fine of five thousand to ten thousand levs.

(4) (New - SG 27/09, in force from 10.04.2009) Where the treasure contains a cultural valuable or the act under Para 1 - 3 is repeated, the penalty shall be: under Para 1 - imprisonment up to two years and fine up to five thousand levs, under Para 2 - imprisonment up to five years and fine from five thousand to ten thousand levs, and under Para 3 - imprisonment from one to six years and fine from ten thousand to twenty thousand levs.

(5) (New - SG 27/09, in force from 10.04.2009) Where the act under Para 2 - 4 is committed by commission or by performing the decision of an organized criminal group or represents dangerous recidivism, the penalty shall be imprisonment from two to eight years and fine from ten thousand to thirty thousand levs.

(6) (New - SG 26/04; prev. text of Para 04 - SG 27/09, in force from 10.04.2009) The The object of the crime shall be confiscated in favour of the state, and if it is missing or expropriated, its equivalent shall be awarded.

## **Section IV. Fraud**

Art. 209. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93 ; amend. - SG 26/10) Whoever, with the aim of obtaining a property benefit for himself or another, incites or maintains a delusion in someone and thereby causes him or another property damage, shall be punished for fraud with imprisonment from one to six years.

(2) (Amend. - SG 10/93 ; amend. â€“ SG 26/10) Whoever, for the same purpose, uses someone's delusion, inexperience or ignorance and thereby causes him or another property damage, shall be punished by imprisonment for up to five years.

(3) (Amend. â€“ SG 103/04, in force from 01.01.2005) In minor cases under the preceding paras, the penalty shall be imprisonment of up to one year or probation.

Art. 210. (1) The penalty for fraud shall be imprisonment from one to eight years.

1. if the perpetrator has presented himself as an official or as a person acting by an errand of the authority;

2. (amend. - SG 28/82, in force from 01.07.1982) if it has been committed by two or more persons who have conspired in advance its committing;

3. (suppl. - SG 26/04) if the fraud has been committed by an official or by a proxy within the scope of his competence or authorisation, or by a person who directly carries out, by profession, transactions with foreign currency in cash;

4. if it is repeated in non-minor cases;

5. (new - SG 28/82, in force from 01.07.1982) if the caused damage is large in size.

(2) (New - SG 28/82, in force from 01.07.1982) In the cases of item 4 and 5, the court can rule confiscation of up to one second of the property of the culprit.

Art. 211. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, in force from 01.01.2005; amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004, amend. â€“ SG 103/04, in force from 01.01.2005) If the fraud under art. 209, para 1 and 2 and under art. 210 is of a particularly large scale, representing a particularly serious case or a dangerous recidivism, the penalty shall be imprisonment of three to ten years. The court can rule confiscation of up to one second of the property of the culprit.

Art. 212. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93; amend. and suppl. â€“ SG 26/10) Whoever, by using a document with false content or a false or falsified document, and without legal basis obtains someone else's movable or immovable property with the intention of misappropriating it, shall be punished by imprisonment from one to eight years.

(2) (Amend. and suppl. - SG 27/09) The penalty under Para 1 shall also be imposed of those who, by preparing a document with false content or of an inauthentic or forged document, deliberately enables another individual or legal person to obtain, without legal grounds, such property.

(3) (New - SG 92/02) When the property is of funds belonging to the European Union or submitted by them to the Bulgarian state, the penalty shall be imprisonment of three to ten years.

(4) (Prev. para 3 - SG 92/02) If the property under the preceding paras is of a large size or if the act represents a dangerous recidivism, the penalty shall be imprisonment of three to fifteen years.

(5) (Prev para 4 - SG 92/02) For documentary fraud of particularly large size, representing a particularly serious case, the penalty shall be imprisonment of ten to twenty years.

(6) (Prev. para 5 - SG 92/02) In minor cases under para 1 and 2 the penalty shall be imprisonment of up to two years or probation.

(7) (Prev. para 6 - SG 92/02; amend. " SG 75/06, in force from 13.10.2006; amend. - SG 27/09) In the cases of para 1 the court can rule confiscation of up to one second of the property of the culprit and deprive him of rights according to art. 37, para 1, item 6 and 7, and in the cases of para 3, 4 and 5 it shall rule confiscation of a part or of the whole property of the culprit and shall deprive him of rights according to art. 37, para 1, item 6 and 7.

Art. 212a. (New - SG 92/02) (1) (Amend. - SG 38/07) Whoever, for the purpose of obtaining for himself or for another benefit, excites or maintains deception in somebody by entering, changing, deleting or obliterating computer data or uses another's electronic signature, thus causing him or some one else damage, shall be punished for computer fraud by imprisonment from one to six years and a fine of up to six thousand levs.

(2) (Amend. - SG 38/07) The same penalty shall be imposed on one who, without having the right, enters, changes, deletes or obliterates computer data in order to obtain something which is not due to him.

Art. 212b. (New - SG 28/82, in force from 01.07.1982; Prev. Art. 212a - SG 92/02) (1) If the property obtained according to art. 212 is returned or replaced until the conclusion of the court investigation of the first instance court, the penalty shall be:

1. under para 1 and 2 - imprisonment of up to five years;
2. under para 3 - imprisonment of two to eight years;
3. (suppl. " SG 75/06, in force from 13.10.2006) under para 4 and 5 - imprisonment of five to fifteen years;
4. (amend. - SG 10/93; amend. - SG 92/02; amend. " SG 103/04, in force from 01.01.2005; amend. " SG 75/06, in force from 13.10.2006) under para 6 - probation or a fine of one hundred to three hundred levs.

(2) (Amend. " SG 75/06, in force from 13.10.2006) In the cases under item 2 of the preceding para, the court can rule confiscation of up to one second of the property of the culprit and deprive him of rights according to art. 37, para 1, item 6 and 7, and under item 3 - rule confiscation of a part or of the whole property of the culprit and deprive him of rights according to art. 37, para 1, item 6 and 7.

Art. 213. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02) Whoever demolishes, damages or destroys with a fraudulent purpose his insured property, shall be punished by imprisonment of up to three years and by a fine of one hundred to three hundred levs.

## **Section V. Extortion**

Art. 213a. (New - SG 62/97) (1) Whoever, in order to force another to dispose of an object or his right or to assume a property obligation, threatens him with violence, disclosure of shameful circumstances, damage to property or other illegal action with serious consequences for him or his relatives, shall be punished by imprisonment of one to six years and a fine of one thousand to three thousand levs.

(2) The penalty shall be imprisonment of two to eight years and a fine of three thousand to five thousand levs if the act was:

1. accompanied by a threat of murder or serious bodily harm;
2. accompanied by causing light corporal body;
3. accompanied by seizure, destruction or damaging of property;
4. perpetrated by two or more persons;
5. perpetrated by a person under art. 142, para 2, item 6 and 8;
6. committed by an armed person;
7. repeated in non-minor cases.

(3) The penalty shall be imprisonment of five to fifteen years and a fine of five thousand to ten thousand levs, whereas the court can rule confiscation of up to one second of the property of the perpetrator if:

1. average or light bodily harm has been caused, unless a more severe penalty is stipulated for the committed crime;
2. substantial property damages have been caused;
3. the act has been committed by an organisation or a group or by an order of a person, organisation or group;
4. the act has been accompanied by an explosion or arson;
5. the act has been committed by or with the participation of an official;
6. the act has been committed against an official in connection with his office;
7. the act represents a dangerous recidivism.

(4) (Amend. - SG 153/98) The penalty shall be imprisonment of fifteen to twenty years or life imprisonment, or life imprisonment without parole, whereas the court can rule confiscation of a part or of the whole property of the perpetrator if the act was:

1. accompanied by a serious or average bodily harm as a result of which death has followed;
2. accompanied by murder or attempted murder.

Art. 214. (1) (Amend. - SG 10/93; amend. - SG 50/95, amend. - SG 62/97) Whoever, with the purpose of obtaining for himself or for somebody else a property benefit compels somebody by force or threat to commit, to miss or sustain something against his will, thus causing him or somebody else a property damage, shall be punished for extortion by imprisonment of one to six years and a fine of one thousand to three thousand levs, whereas the court can impose a confiscation of up to one second of the property of the perpetrator.

(2) (Amend. - SG 62/97) The penalty for extortion under the conditions of art. 213a, para 2, 3 and 4 shall be:

1. under para 2 - imprisonment of two to ten years and a fine of four thousand to six thousand levs, whereas the court can rule confiscation of up to one second of the property of the perpetrator;

2. under para 3 - imprisonment of five to fifteen years, a fine of five thousand to ten thousand levs and confiscation of up to one second of the property of the perpetrator;

3. (amend. - SG 153/98) (Amend., SG 153/98) under para 4 - imprisonment of fifteen to twenty years, life imprisonment or life imprisonment without parole and confiscation of no less than one second of the property of the perpetrator.

(3) (New - SG 50/95) The penalty for extortion shall be from five to fifteen years of imprisonment and a fine of up to five hundred levs, whereas the court can rule confiscation of up to one second part of the property of the culprit if:

1. it has been accompanied by a serious or average bodily harm;
2. the act represents a dangerous recidivism.

Art. 214a. (New - SG 62/97) For preparation of a crime under art. 213a and 214, the penalty shall be imprisonment of one to three years.

## **Section VI. Constructive Theft**

Art. 215. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93; suppl. - SG 62/97; amend. - SG 26/10) Whoever, with the aim of obtaining a property benefit for himself or for another, hides, acquires or helps to expropriate other people's movable property, which he knows or assumes to have been acquired by another through a crime or through another socially dangerous act, shall be punished by imprisonment from one to six years, but by a penalty which is not more serious than the one provided for the crime itself.

(2) (Amend. - SG 95/75; amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 62/97; amend. - SG 26/10) The penalty shall be imprisonment of three to ten years and a fine of five thousand to ten thousand levs if the constructive theft:

1. is in a large size;
2. concerns possessions under special regime;
3. is committed by profession;
4. is repeated or represents a dangerous recidivism.

## **Section VII. Destruction and Damaging**

Art. 216. (1) (Amend. - SG 10/93) Whoever unlawfully destroys or damages someone else's movable or immovable property, shall be punished by imprisonment of up to five years.

(2) (New - SG 92/02) Whoever destroys, demolishes or damages his mortgaged or pawned property shall be punished by imprisonment of up to five years and a fine of up to two thousand levs.

(3) (New - SG 92/02, amend. â€“ SG 101/17) Whoever, by unwarranted access to an information system of importance for an enterprise, corporate body or individual, destroys or damages another's property, shall be punished by imprisonment of one to six years and a fine of up to ten thousand levs.

(4) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; prev. para 2, amend. - SG 92/02) In minor cases, the penalty shall be imprisonment of up to six months or a fine of one hundred to three hundred levs.

(5) (Amend. - SG 62/97; prev. Para. 3 - SG 92/02; amend. and suppl. - SG 26/04, amend. - SG 67/23) The punishment shall be imprisonment for up to ten years and the court may order deprivation of rights under art. 37, para 1, item 6 and 7, when:

1. the act is related to the destruction or damage of elements of the telecommunications network;

2. significant damages were caused by the act or other serious consequences occurred;

3. the act was committed by a person under Art. 142, Para. 2, items 6 and 8;

4. the act was committed for racist, xenophobic or sexual orientation-related motives.

(6) (Amend. - SG 10/93; prev Para. 4, amend. - SG 92/02) If the deed under para 1, 2, 3 and 5 has been committed due to negligence, the penalty shall be imprisonment of up to two years or a fine of one hundred to three hundred levs.

Art. 216a. (New - SG 26/04) (1) (Amend. - SG 33/11, in force from 27.05.2011) Whoever, himself or through another, illegally breaks the integrity of facilities or sites of electric transfer or electric distribution network, of gas transport or heat transfer system, of a system for transfer of liquid fuel, or of a water supply or sewage system, thus creating conditions for diverting electric power, natural gas, liquid fuel, heating power or water, or discharge of sewage water, shall be punished by imprisonment of up to three years and a fine of up to twenty thousand levs.

(2) (Amend. - SG 33/11, in force from 27.05.2011) If the act under para 1 is repeated, the penalty shall be imprisonment of one to ten years and a fine of up to thirty thousand levs.

## **Section VIII. Abuse of Trust**

Art. 217. (Amend. - SG 10/93) (1) (Amend. - SG 92/02) Whoever deliberately damages another's property entrusted to him for keeping or managing it, shall be punished by imprisonment of up to three years or by a fine of one hundred to three hundred levs.

(2) The same penalty shall be imposed on a representative or a proxy who deliberately acts against the legal interests of the represented person.

(3) (New - SG 92/02) The penalty under para 1 shall also be imposed on the one who abuses distressed or pawned possession left with him for keeping.

(4) (Prev. Para. 3 - SG 92/02; amend. - SG 92/02) If, as a result of the above acts, substantial or irreparable damages have occurred, the penalty shall be imprisonment of up to five years and a fine of one hundred to three hundred levs.

### **Special provision**

Art. 218. (Revoked - SG 10/93)

### **Additional provisions (Title amend. - SG 28/82, in force from 01.07.1982)**

Art. 218a. (New - SG 89/79; amend. - SG 89/86; revoked - SG 10/93)

Art. 218b. (New - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93; amend. - SG 62/97; amend. - SG 21/00; amend. - SG 92/02; amend. - SG 26/04; amend. - SG 26/10) For acts under art. 194, para 3, art. 195, para 4, art. 204, letter "a", art. 206, para 1 and 5 and art. 207, as well as for constructive theft related to them, when the value of the object is up to the sum of two minimum wages for the state, established by the date the act has been committed, the penalty shall be a fine of one hundred to three hundred levs, imposed through administrative channels, if the subject of the crime is restored or replaced.

(2) The provision of the preceding paragraph shall not apply when:

1. (amend. - SG 10/93; amend. - SG 62/97; amend. - SG 21/00) the perpetrator, in the course of one year, has committed two or more acts, the total value of their subject exceeds one hundred and fifty levs;

2. the perpetrator has been convicted for such a crime, as well as if he has been given administrative penalty for such an act and one year has not elapsed from its commission;

3. (amend. - SG 33/11, in force from 27.05.2011) the subject of the act is a firearm, ammunition for firearm, explosives, poisonous or narcotic substances, pyrotechnics, combat and other special equipment.

Art. 218c. (New - SG 89/86; amend. - SG 10/93; amend. - SG 92/02; amend. - SG 26/10) A criminal prosecution shall be instituted upon a complaint lodged by the affected person in the following cases:

1. in relation to crimes under Art. 216, paras 4 and 6 and Art. 217, para 1 and 2, where subject of the crime is private property;

2. theft, misappropriation, fraud and extortion if the affected person is a spouse, ascendant, descendant or lateral branch of the family up to a second degree of the culprit, or lives with him in one household, or if the said person is a guardian or trustee of the culprit.

## **Chapter six. CRIMES AGAINST THE ECONOMY**

### **Section I. General Economy Crimes**

Art. 219. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 62/97; amend. " SG 26/10) An official who does not take enough care for the management, administration, handling or preservation of the entrusted property, as well as for the assigned job, thus causing a substantial damage, destruction or squandering of the property or other considerable damages to the enterprise or to the economy shall be punished by imprisonment of up to six years and a fine of up to five thousand levs.

(2) (Amend. - SG 95/75; amend. - SG 28/82, in force from 01.07.1982; amend. - SG 62/97; amend. " SG 26/10) Whoever, despite of his obligations, have not exercised sufficient control over the work of persons to whom the management, the administration or the accounting of the public property is assigned, and this have caused substantial damages to the enterprise or to the economy, shall be punished by imprisonment of up to six years and a fine of up to five thousand levs.

(3) (Amend. " SG 75/06, in force from 13.10.2006; amend. " SG 26/10) If the act under the preceding paras has been committed deliberately and does not contain the elements of a major offence, the penalty shall be imprisonment from two to eight years, whereas the court can rule revoking of right according to art. 37, para 1, item 6.

(4) (New - SG 28/82, in force from 01.07.1982; amend. " SG 75/06, in force from 13.10.2006; amend. " SG 26/10) For offences under the preceding paras to a particularly great extent, representing a particularly grave case, the penalty shall be: under para 1 and 2 - imprisonment of one to five years and under para 3 - imprisonment from three to twelve years, as in these cases the court shall also rule revoking of rights according to art. 37, para 1, item 6 and 7.

Art. 220. (1) (Amend. " SG 75/06, in force from 13.10.2006; amend. " SG 26/10) An official who deliberately concludes unprofitable transaction, thus causing a substantial damage to the economy or to the establishment, enterprise or organisation he represents, shall be punished by imprisonment from one to six years, whereas the court can rule revoking of right according to art. 37, para 1, item 6.

(2) (New - SG 89/86; amend. " SG 75/06, in force from 13.10.2006; amend. " SG 26/10) In particularly grave cases under the preceding para, the penalty shall be imprisonment of three to ten years, whereas the court can also rule revoking of rights according to art. 37, para 1, item 6 and 7.

(3) (New - SG 62/97, revoked - SG 101/01)

Art. 221. (Amend. - SG 28/82; revoked - SG 1/91)

Art. 221a. (New - SG 27/73; corr., SG 31/82; amend. - SG 86/91; corr. - SG 90/91) (1) (Amend. - SG 10/93, amend. - SG 92/02) Whoever orders or, in violation of his obligations, allows the taking and using for construction and for other non-agricultural

needs farm land or pastures not expropriated or not submitted in the established order, shall be punished by imprisonment of up to three years and a fine of one hundred to three hundred levs.

(2) (Amend. - SG 10/93, amend. - SG 92/02) Whoever continues, orders, or in violation of his duties admits the continuation of the construction of other non-agricultural using of lands under the preceding para, after the construction and the other using have been stopped by the respective authorities by the established order, shall be punished by imprisonment of up to five years and a fine of one hundred to three hundred levs.

Art. 221b. (New - SG 44/84; revoked - SG 1/91)

Art. 222. (Revoked - SG 1/91)

Art. 223. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. â€“ SG 103/04, in force from 01.01.2005) Whoever presents untrue data regarding the quantity, the quality or the type of the produce or of the performed work with the purpose of obtaining property benefit which is not due, unless it represents a more serious case, shall be punished by imprisonment of up to three years or by probation.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, amend. â€“ SG 103/04, in force from 01.01.2005) Whoever, for what he has produced or for the work he has done, receives a remuneration which is not due to him, knowing that it was determined on the basis of such false data, if it does not constitute a more serious crime, shall be punished by probation or by a fine of one hundred to three hundred levs.

(3) What has been acquired by the perpetrator as a result of the crimes under the preceding paras shall be returned to the respective organisation.

Art. 224. (1) (Amend. - SG 10/93; amend. - SG 92/02) Whoever receives a gift or other property benefit in order to give or because he has given to a foreign country, foreign organisation or company, or to a foreign citizen, information which has caused or would cause substantial damages to the economy, unless the act constitutes a more serious crime, the penalty shall be imprisonment of up to five years and a fine of one hundred to three hundred levs.

(2) The same penalty shall also be imposed on those who have provided the gift or the property benefit.

(3) The object of the crime shall be seized in favour of the state.

Art. 225. (1) (Amend. - SG 26/73, amend. - SG 95/75, amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86; amend. - SG 81/90; SG 10/93) (1) (Amend. - SG 92/02) Whoever sells a commodity at a price above the fixed one or before it is fixed or approved by the established order, or receives for a service remuneration larger than the legally admissible, shall be punished by imprisonment of up to two years or by a fine of one hundred to three hundred levs.

(2) (New - SG 10/93; amend. - SG 92/02) If the act under the preceding para is committed repeatedly and it is not a minor case, or if the already received sum is considerable, the penalty shall be imprisonment of six months to three years and a fine of one hundred to three hundred levs.

(3) (New - SG 26/73, amend. - SG 89/86, repealed - SG 81/90, new - SG 81/90) Whoever, after having been punished for an offence under Art. 3 of the Law for fighting the profiteering, commits the same offence before the expiration of one year from enforcement of the penal provision, shall be punished by imprisonment of up to three years.

(4) (Repealed prev., Para. 5 - SG 89/86; amend. " SG 103/04, in force from 01.01.2005) Whoever deliberately compiles untrue information or presents untrue data in order to determine a price of commodity or service, which have caused or would have caused damages to a state establishment or enterprise, to a public organisation or to citizens, shall be punished by imprisonment of up to one year or by probation.

(5) (Revoked prev. Para. 7 - SG 81/90; amend. " SG 75/06, in force from 13.10.2006) In cases where under the preceding paragraphs the court determines the penalty imprisonment, it may also rule deprivation of the right under art. 37, para 1, item 6 and 7.

(6) (Revoked, prev. Para. 5 - SG 89/86, repealed - SG 81/90, new - SG 28/20, in force from 24.03.2020) When the act of para. 1 was made in case of a declared state of emergency under Art. 84, item 12 of the Constitution of the Republic of Bulgaria, the punishment shall be imprisonment of one to three years and a fine of BGN five thousand to BGN ten thousand.

Art. 225a. (Revoked - SG 1/91)

Art. 225b. (New - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93; amend. - SG 92/02) Whoever, for work performed or service rendered, receives a property benefit that is not owed to him, if the committed crime does not constitute a more serious crime, shall be punished with imprisonment for up to two years and a fine of one hundred to three hundred BGN.

(2) If the act under the preceding para is committed again or the benefit is large in size, the penalty shall be imprisonment of up to three years.

(3) (Amend. - SG 10/93; amend. - SG 92/02) In minor cases under para 1, the penalty shall be a fine of one hundred to three hundred levs, imposed through administrative channels.

(4) The subject of the crime shall be seized in favour of the state.

Art. 225c. (New - SG 92/02) (1) Whoever, in fulfilment of a job for a corporate body or sole entrepreneur, requests or receives a gift or whatever benefit which is not due, or accepts an offer or promise for a gift or benefit in order to fulfil or not fulfil an act in violation of his obligations in carrying out trading activity, shall be punished by imprisonment of up to five years or by a fine of up to twenty thousand levs.

(2) Whoever, in carrying out trading activity, offers or gives a gift or whatever benefit to a person working for a corporate body or sole entrepreneur in order to fulfil or

not fulfil an act in violation of his obligations, shall be punished by imprisonment of up to three years or by a fine of up to fifteen thousand levs.

(3) The penalties under the preceding paras shall also be imposed when, by a consent of the person under para 1, the gift or the benefit has been offered, promised or given to some one else.

(4) (Amend. - SG 26/04) Whoever mediates some of the acts under the preceding paras, unless the act does not constitute a more severe crime, shall be punished by imprisonment of up to one year or a fine of up to five thousand levs.

(5) The subject of the crime shall be seized in favour of the state, and if it is missing or expropriated, its equivalence shall be awarded.

Art. 226. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93, amend. - SG 92/02) Whoever, by using state, cooperative or other public organisation, develops a private economic activity in violation of the established provisions, thus obtaining substantial illegal income, shall be punished by imprisonment of up to five years and a fine of up to ten levs.

(2) (Amend. - SG 28/82, in force from 01.07.1982; prev. para 3 - SG 89/86; amend. - SG 10/93, amend. - SG 92/02) Whoever develops a private economic activity, disguising it in the form of a state, cooperative or other public organization, shall be punished by imprisonment of up to five years and a fine of up to twenty levs.

(3) (Prev. para 2, amend. - SG 89/86, amend. " SG 103/04, in force from 01.01.2005) An official of the respective state, cooperative or other public organisation who admits the commission of the crime under the preceding paras shall be punished by imprisonment of up to three years or by probation.

(4) (New - SG 26/73; amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86, amend. - SG 92/02, in force from 01.01.2005; amend. regarding the entry into force " SG 26/04, in force from 01.01.2004; amend. " SG 103/04, in force from 01.01.2005) In case of repeated commission of the crime under the previous paragraphs or when the illegal income is large, the penalty shall be imprisonment of one to eight years.

(5) (Prev. para 4, amend. - SG 26/73; amend. - SG 89/86, amend. - SG 92/02, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, amend. " SG 103/04, in force from 01.01.2005) If the illegal income under the preceding paras is particularly large and the case is particularly serious, the penalty shall be imprisonment of three to twelve years.

Art. 227. (Amend. - SG 10/93; amend. - SG 50/95; amend. - SG 81/99, in force from 14.12.1999; revoked " SG 75/06, in force from 13.10.2006; new " SG 19/12) (1) Whoever employs five or more foreigners illegally residing on the territory of the Republic of Bulgaria at the same time shall be punished by imprisonment for up to four years and a fine of two thousand to twenty thousand BGN.

(2) The penalty referred to in para 1 shall also be imposed on anyone who hires a foreigner illegally residing on the territory of the Republic of Bulgaria, knowing that the foreigner is a victim of human trafficking.

(3) Whoever employs a foreigner residing illegally on the territory of the Republic of Bulgaria under the age of 18 shall be punished by imprisonment for up to five years and a fine of three thousand to thirty thousand BGN.

(4) Whoever systematically hires one or more foreigners illegally residing illegally on the territory of the Republic of Bulgaria shall be punished by imprisonment for one to five years and by a fine amounting to five to fifty thousand BGN.

(5) The penalty referred to in para 1 shall also be imposed on anyone who hires a foreigner illegally staying on the territory of the Republic of Bulgaria under working conditions which are essentially different from those enjoyed by legally hired persons and violate human dignity.

(6) In minor cases under paras 2 - 4, the penalty shall be imprisonment for up to two years or probation, as well as a fine amounting from one to ten thousand BGN.

Art. 227a. (New - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02; revoked â€“ SG 75/06, in force from 13.10.2006)

### **Section I "a". Crimes against creditors (New - SG 107/96)**

Art. 227b. (New - SG 107/96) (1) (Amend. - SG 85/98; amend. â€“ SG 75/06, in force from 13.10.2006) An entrepreneur who becomes insolvent and, within 30-days from suspending the payments, does not declare it in court, shall be punished by imprisonment of up to three years or by a fine of up to five thousand levs.

(2) (Amend. â€“ SG 26/10) The penalty under para 1 shall also be imposed on the persons who manage and represent the trade company or cooperation if, within 30 days from suspending the payments, they have not requested the court to institute bankruptcy proceedings.

(3) The penalty under para 1 shall also be awarded to the procurator who has not fulfilled his obligation under art. 626, para 3 of the Commerce Act.

(4) (New - SG 62/97; amend â€“ SG 59/06, in force from 01.01.2007; suppl. - SG 102/15, in force from 01.01.2016) The penalty under para 1 shall also be imposed on the persons who, being obliged to inform the Bulgarian National Bank about the insolvency of a bank according to the Credit institutions Act, as well as the persons, who were obliged to notify the Commission of Financial Supervision of the insolvency of an insurer or a reinsurer according to the Insurance Code, have not done it.

Art. 227c. (New - SG 107/96) (1) An entrepreneur who, after the institution of bankruptcy proceedings:

1. conceals, destroys, damages or alienates ex gratia money, possessions, securities or other valuables which can serve as indemnification of his creditors;

2. expropriates money, possessions, securities or other valuables which can serve as indemnification of his creditors, when the given substantially exceeds the received, and it was done in contradiction to the normal practising of the economic activity;

3. absolves or conceals his takings;

4. recognises or undertakes in any way whatsoever, or remedy non-existent liability;

5. takes a loan knowing that he cannot return it;

6. cedes as a credit possessed commodities, money, possessions, securities or other valuables in a way contradicting the normal practising of the economic activity;

7. illegally remedies only one or several creditors or secures them to the detriment of the rest of the creditors;

8. destroys, conceals or forges his trade books or documents or keeps them in violation of the law in a way embarrassing the establishment of the assets and liabilities of his enterprise or trade, if the above acts have caused substantial damages, shall be punished for deliberate bankruptcy with imprisonment of up to three years.

(2) When an ac under Para. 1 causes damages of particularly large scale, representing a particularly serious case, the penalty shall be imprisonment of three to fifteen years. The court shall also rule revoking of rights according to art. 37, para 1, item 6 and 7.

Art. 227d. (New - SG 107/96) The penalties under art. 227c shall also be imposed on persons who manage and represent the trade company or cooperation if they commit or allow the commission of the acts according to the same Art., whereas in the cases of para 1 the court can also rule a fine of up to 500 levs, and under para 2 - confiscation of a part or of the whole property of the culprit.

Art. 227e. (New - SG 107/96) (1) An entrepreneur who:

1. has not practised his trade with due diligence or has taken part in obviously risky transactions which do not belong in the circle of his usual activity;

2. has made personal, family or other expenditures, obviously uncharacteristic and not related to the activity and not complied with his property status;

3. has failed to work out or has worked out an incorrect annual accountancy report and balance, being obliged to do that;

for which reason he has been declared bankrupt and this has caused damages to the creditors, shall be fined for negligent bankruptcy by imprisonment of up to two years, whereas the court can also rule revoking of rights according to art. 37, para 1, item 6 and 7.

(2) The penalties under para 1 shall also be imposed on an entrepreneur who has declared bankrupt without having fulfilled his obligations under a preceding recovery plan.

(3) The penalties under para 1 shall also be imposed on persons who manage and represent the trade company or cooperation if they commit or allow the commission of the acts stipulated by the same para.

(4) The persons under para 1 shall not be punished if, before the ruling of the sentence by the first instance, they indemnify their creditors. This provision shall not be applied a second time.

Art. 227f. (New - SG 107/96) (1) An entrepreneur who has liabilities to another entrepreneur for whom bankruptcy proceedings have been instituted, knowing this does not fulfil his obligations within the set term or usual term, shall be punished by imprisonment of up to one year or a fine of up to 200 levs.

(2) An entrepreneur who, by the approval, knowledge or to an interest of his creditor conceals entirely or partially a liability to him, thus causing damage to his creditor, shall be punished by imprisonment of up to two years and a fine of up to 300 levs.

(3) Whoever, knowing that bankruptcy proceedings have been instituted for an entrepreneur, conceals or destroys with the latter's consent his possessions, which belong or could belong to the bankruptcy estate, shall be punished by imprisonment of up to two years and a fine of up to 300 levs.

## **Section II.**

### **Crimes in individual economic branches**

Art. 228. (Amend. - SG 28/82, in force from 01.07.1982; amend. " SG 103/04, in force from 01.01.2005) (1) Whoever, as a manager (or control body) orders or allows the production of low-quality, non-standard or incomplete industrial products or products not meeting the requirements for quality, type or marks established for them, shall be punished by imprisonment of up to three years or by probation.

(2) (Amend. " SG 103/04, in force from 01.01.2005) Whoever, in violation of his official duties, marks as standard or does not mark a commodity which does not meet the respective requirements, when this is obligatory, shall be punished by imprisonment of up to one year or by probation.

(3) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/96; amend. - SG 10/93, amend. - SG 92/02) When the products or commodities under the preceding paras are not in substantial quantities or of substantial value, the penalty under para 1 shall be a fine of one hundred to three hundred levs, and under para 2 - a fine of one hundred to three hundred levs imposed through administrative channels.

Art. 229. (Amend. " SG 103/04, in force from 01.01.2005) Whoever, by accepting agricultural produce for the account of a purchasing or trade organisation, misleads the supplier regarding the quality or the quantity of these products, shall be punished by imprisonment of up to three years or by probation, as well as by public reprimand.

Art. 230. (1) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02; amend. " SG 103/04, in force from 01.01.2005) Whoever violates an ordinance issued against the spreading or the occurrence of an infectious disease on domestic animals shall be punished by probation for up to six months or by a fine of one hundred to three hundred levs.

(2) (Amend. " SG 103/04, in force from 01.01.2005) If infection has followed, the penalty shall be imprisonment of up to one year or probation.

(3) If the infectious disease is widely spread, the penalty shall be imprisonment of up to three years.

(4) Punished in compliance with the differences under the preceding paras shall also be those who violate an ordinance issued for fighting diseases and pests of the plants.

Art. 231. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 62/97) Whoever offers for sale industrial or farm commodities in substantial quantities or of substantial value, not meeting the requirements under para 1 of art. 228, without having announced in advance these shortcomings, shall be punished by imprisonment of up to two years, by a fine of one thousand to three thousand levs and by revoking of rights according to art. 37, para 1, item 6.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02) In minor cases under the preceding para, the penalty shall be a fine of one hundred to three hundred levs imposed through administrative channels.

Art. 232. (1) (Amend. - SG 103/04, in force from 01.01.2005) A seller who cheats a buyers in weighing or measuring a commodity or who uses false measures and balances shall be punished by imprisonment of up to two years or by probation.

(2) Punished by the same penalty shall be:

a) whoever cheats a buyer by mixing alien substances or worsening the quality of the commodity in any other way;

b) whoever cheats a client regarding the quality of the commodities, materials or services.

(3) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02; amend. - SG 27/09) When one or more deeds under the preceding paras have caused a damage of up to one hundred levs, the penalty shall be a fine of one hundred to three hundred levs imposed through administrative channels.

(4) (Amend. - SG 95/75; amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02; amend. - SG 103/04, in force from 01.01.2005) If the act under the preceding para has been committed after on the person was imposed administrative penalty according to the same para, by an enforced writ, and one year has not expired from the first offence, the penalty shall be imprisonment of up to one year or probation, or a fine of one hundred to three hundred levs.

(5) (New - SG 95/75; amend. - SG 75/06, in force from 13.10.2006) In the cases when imprisonment is imposed according to the preceding paras the court can also rule revoking of right according to art. 37, para 1, item 6 or 7.

Art. 233. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86; amend. - SG 81/90; revoked - SG 10/93; new - SG 102/95) (1) (Amend. and suppl. - SG 92/02; amend. - SG 26/04; amend. - SG 38/07) Whoever exports, imports, transfers, transports, transits or carries out brokerage with weapons or products or technologies of double use, as well as where such activities are carried out in violation of prohibitions, restrictions or sanctions imposed by the Security Council of the United Nations Organisation, by the Organisation for Security and Cooperation in Europe or by the European Union referred to by an act of the Council of Ministers or ensuing from an international agreement party to which is the Republic of Bulgaria, without the respective license, registration or permit shall be punished by imprisonment of up to six years and a fine of up to two hundred thousand levs.

(2) (Amend. - SG 92/02) For particularly serious cases under para 1, the penalty shall be imprisonment of three to 8 years and a fine of up to five hundred thousand levs.

(3) (Amend. - SG 92/02) In minor cases under para 1, the penalty shall be a fine of up to twenty thousand levs.

(4) (Amend. - SG 92/02; amend. - SG 26/04; amend. - SG 38/07) Arms or products or dual-use technologies, the subject of the crime, shall be confiscated in favour of the state, regardless of whose property they are, and if they are missing or are expropriated, their equivalence, determined according to the foreign trade agreement, shall be awarded.

Art. 234. (Revoked - SG 1/91; new - SG 107/96) (1) (Amend. - SG 92/02; amend. " SG 75/06, in force from 13.10.2006; amend. " SG 26/10, amend. " SG 7/19) Whoever distributes or keeps excise goods without excise band, when such is required by law, in no minor cases, shall be punished by imprisonment from one to six years and a fine of up to the ten-fold amount of the market price of the distributed commodities, as well as by revoking rights according to art. 37, para 1, item 7.

(2) (New " SG 7/19) Whoever produces or keeps for distribution alcohol, alcoholic beverages or tobacco products without a duly authorized permit, in cases of significant importance, shall be punished by imprisonment of one to six years and a fine from twenty thousand to one hundred thousand BGN, as well as with deprivation of rights under Art. 37, Para. 1, item 7.

(3) (Amend. - SG 92/02; amend. " SG 75/06, in force from 13.10.2006; amend. " SG 26/10, previous Para. 2 " SG 7/19) The penalty shall be imprisonment from two to eight years and revoking rights according to art. 37, para 1, item 7 if the act:

1. is repeated;
2. has been committed by two or more persons who have conspired in advance;
3. if the object of the crime is in large size.

(4) (New " SG 7/19) Whoever, in violation of the established order, makes, keeps or conceals objects, materials or devices and technical equipment, for which he knows or supposes that they are intended or have served for the construction of facilities for production of alcohol, alcoholic beverages or tobacco products under Para. 2, shall be punished by imprisonment for up to three years.

(5) (Previous Para. 3 - SG 7/19) The subject of the crime shall be seized in favour of the state.

Art. 234a. (New - SG 62/97; amend. " SG 26/10) Whoever carries out foreign trade activity without a permit required by the law or by a decree of the Council of Ministers or in violation of such an issued permit, shall be punished by imprisonment of up to five years, a fine of five to ten thousand levs and revoking of rights according to art. 37, para 1, item 6 and 7.

Art. 234b. (New - SG 92/02) (1) (Amend. - SG 27/09; amend. " SG 26/10; amend. - SG 33/11, in force from 27.05.2011) Whoever buys or carries out trading activity with waste of ferrous or non-ferrous metals without license required by a normative act, or in its violation, shall be punished by imprisonment of up to five years and a fine of two thousand to fifty thousand levs, as well as by deprivation of rights pursuant to Art. 37, para 1, item 7.

(2) The waste, subject of the act under para 1, shall be seized in favour of the state, and if it is missing or expropriated, its equivalence shall be awarded.

Art. 234c. (New - SG 26/04) (1) (Amend. - SG 33/11, in force from 27.05.2011) Whoever, himself or through another, implements an illegal joining to an electric transfer or electric distribution network, or to a gas transport, heat transfer, water supply or sewage system, a system for transfer of liquid fuel, or illegal interference with the devices for commercial measuring of electric power, natural gas, liquid fuel, heating power or water, or discharged sewage water, thus creating conditions for incorrect reading of the consumed electric power, natural gas, liquid fuel, heating power or water, or of discharged sewage water shall be punished by imprisonment of up to five years and a fine of up to fifteen thousand levs.

(2) (Amend. - SG 33/11, in force from 27.05.2011) If the act under para 1 is repeated, the penalty shall be imprisonment of one to eight years and a fine of up to twenty thousand levs.

Art. 234d. (New - SG 108/20) (1) Whoever, without a permit, registration or license required by a normative act or an act of the European Union, performs public transport of passengers by occupation, shall be punished by imprisonment from one to three years.

(2) When the act under Para. 1 has been committed by two or more persons, who have conspired in advance to do it, or by using a false or forged document or a document with false content, the punishment shall be imprisonment of two to five years and a fine of two to ten thousand levs.

(3) (Declared unconstitutional in the part "regardless of whose property it is" with Decision of the Constitutional court № 12 of 2021 - SG 84/21) In the cases under Para. 1 and 2, the motor vehicle, used for committing the act, shall be confiscated in favour of the state, regardless of whose property it is, and when it is missing or expropriated, its equivalent shall be awarded.

Art. 235. (Amend. - SG 26/04) (1) (Amend. № SG 75/06, in force from 13.10.2006) Whoever, without a valid written permit or with a valid permit, but outside the appointed places, terms, quantities and trees, cuts, collects, produces, takes or transports from the state forest fund trees of any kind whatsoever, or a part of them, including cut or fallen, shall be punished by imprisonment of up to six years and by a fine of one thousand to twenty thousand levs.

(2) (Amend. № SG 75/06, in force from 13.10.2006) The penalty under para 1 shall be imposed on those who receive, load, transport, unload, store or process wood illegally obtained by another.

(3) For a crime under para 1 and 2 the penalty shall be imprisonment from one to eight years and a fine of five thousand to fifteen thousand levs if:

1. it has been committed by two or more persons, upon prior arrangement for it;
2. it has been committed by implication with a forest employee who has availed himself of his official status;

3. it has been committed by using untrue or forged document of a document with untrue contents;

4. has been repeated;

5. the subject of the crime is of large size.

(4) Where the crimes under para 1 â€“ 3 are committed by a person acting by instructions or in fulfillment of a decision of an organized criminal group or represent a dangerous recidivism the penalty shall be imprisonment of three to ten years and a fine of ten thousand to one hundred thousand levs.

(5) When the subject of the crime is of a particularly large size and the case is particularly severe, the penalty shall be imprisonment of five to fifteen years and a fine of fifty thousand to five hundred thousand levs.

(6) (New â€“ SG 75/06, in force from 13.10.2006) In minor cases the penalty shall be imprisonment of up to one year or probation, or a fine of one hundred to three hundred levs.

(7) (Prev. text of Para. 6 - SG 75/06, in force from 13.10.2006) The subject of the crime shall be seized in favour of the state, and if it is missing or it has been alienated its equivalence shall be adjudged.

Art. 236. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 86/91; amend. - SG 85/97; amend. - SG 92/02; amend. â€“ SG 103/04, in force from 01.01.2005; amend. â€“ SG 75/06, in force from 13.10.2006) Whoever destroys or damages in any way whatsoever forest trees, coppice, undergrowth, forest culture or forest nursery, shall be punished by imprisonment of up to two years or by probation, as well as by a fine of one hundred to three hundred levs, and in particularly serious cases - by imprisonment of up to five years.

Art. 237. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86; amend. - SG 86/91) (1) (Amend. - SG 85/97; amend. - SG 92/02; amend. â€“ SG 75/06, in force from 13.10.2006) Whoever kills or catches without the required permit big game shall be punished by imprisonment of up to one year or by a fine of one hundred to three hundred levs, as well as by revoking of rights according to art. 37, para 1, item 7.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86; amend. - SG 86/91; amend. - SG 85/97; amend. - SG 92/02; amend. â€“ SG 103/04, in force from 01.01.2005; amend. â€“ SG 75/06, in force from 13.10.2006) Whoever, without having hunting licence, kills or catches small game, specially stipulated by the Law for the hunting, as well as those who, although holding a hunting licence, kills or catches such game in time of prohibition, in a prohibited place or by prohibited means, shall be punished by probation for up to six months or by a fine of one hundred to three hundred levs, as well as by revoking of rights according to art. 37, para 1, item 7.

(3) The killed or caught game shall be seized in favour of the state, and if it is missing or expropriated, its value shall be awarded.

Art. 238. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86, amend. - SG 86/91, amend. â€“ SG 55/18) (1) Whoever starts fishing, or catches fish and/or other water organisms by using explosive, poisonous or stunning substances shall be

punished by imprisonment of up to one year, and a fine from BGN 10 000 to 15 000, or with probation.

(2) Whoever starts fishing, or catches fish and/or other aquatic organisms:

1. by using technical devices and fishing gear with electric current without a valid permit;

2. with fishing nets in sites other than the Black Sea, the river Danube and the sites, for which the person has a registration under Art. 25 of the Fisheries and Aquaculture Act, and two or more penal decrees for administrative violations under the Fisheries and Aquaculture Act have entered into force for that person;

3. at locations where fishing is forbidden, or the water is low;

4. in non-industrial waters during the breeding season of the fish;

5. of the species threatened by extinction,

shall be punished by imprisonment of up to six months, and a fine from BGN 5 000 to 10 000, or with probation.

(3) For any crime under Para. 1 and 2, the punishment shall be imprisonment from one to three years, and a fine from BGN 15 000 to 20 000, when:

1. it is committed by two or more persons who have agreed in advance about its realization;

2. it is carried out in co-operation with an official from the Executive Agency for Fisheries and Aquaculture who has taken advantage of his official position;

3. it has been repeated;

4. the subject of the crime is in large proportions.

(4) The fish caught, the other water organisms caught, as well as the gear and equipment by which the crime has been committed, shall be seized in favour of the State.

Art. 239. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 86/91)

(1) (Amend. - SG 85/97; amend. - SG 92/02; amend. " SG 103/04, in force from 01.01.2005; amend. - SG 27/09) A head of enterprise, company, establishment, organisation, or other official, who violates or admits violation of the rules established by a special law for preservation of the fish and of the other water organisms and for the correct development of the fish husbandry in the country, shall be punished by imprisonment of up to three years or by probation, as well as by a fine of one hundred to three hundred levs.

(2) (Amend. - SG 27/09) The same penalty shall be imposed on any person who lets in or throws in the fishery waters polluted water or substances which, by their quantity or nature, can harm the fish and the other water organisms.

Art. 240. (1) (Amend. and suppl. - SG 27/09) A foreign citizen who enters by a vessel the territorial waters of the Republic of Bulgaria in the Black Sea and carries out industrial fishing without permit of the respective border authorities, unless subject to a more severe penalty according to another law, shall be punished by imprisonment of up to three years, regardless of the liability according to the Fishing and Aquacultures Act.

(2) If this is carried out by a group of foreign citizens who are armed, the penalty shall be imprisonment of up to five years.

(3) (Amend. - SG 27/09) The caught fish, the other caught water organisms and the devices by which the crime has been committed shall be seized in favour of the state.

Art. 240a. (New " SG 101/17) (1) Anyone, who commits extraction of underground resources without a granted concession, or where the act of the granted concession for extraction has been stopped under Art. 68 of the Underground Natural Resources Act, or under the signed contract, shall be punished by imprisonment to 6 years and a fine of BGN 1000 to 20 000.

(2) With the punishment under Para. 1, shall also be punished that one, who keeps, stores, transports, processes or expropriates illegally extracted underground wealth.

(3) The punishment is imprisonment from 2 to 8 years and a fine of BGN 5000 to 50 000, where:

1. the subject of the crime is in large proportions;
2. the act has been committed in a protected territory or protected zone in the meaning of the Biological Diversity Act;
3. for perpetrating the act a technical media or road vehicle has been used;
4. the act has been perpetrated through using a document with untrue contents, untrue or forged document;
5. the act has been perpetrated by 2 or more persons, agreed beforehand;
6. the act has been perpetrated with the participation of an official, who has used his official status;
7. the act has been perpetrated by a person, who constantly deal with such an activity;
8. the act has been repeated.

(4) The punishment shall be imprisonment from 3 to 10 years and a fine of BGN 10 000 to 100 000, where:

1. the subject of the crime is in especially large proportions and the case is especially severe;
2. the act has been perpetrated by a person, who acts upon a commission or in fulfillment of a decision of an organized criminal group;
3. the act has been perpetrated under the conditions of a dangerous recidivism

(5) In minor cases under Para. 1 and 2, the punishment shall be imprisonment up to 1 year or probation or a fine of BGN 100 to 300.

(6) The subject of the crime shall be deprived in favor of the state, and if it is absent or expropriated, its equivalence shall be judged.

(7) (Declared unconstitutional in the part "also when it is not owned by the perpetrator" with Decision of the Constitutional Court " 1 of 2023 - SG 10/23) The vehicle or transferring means, served for transportation or transfer of the crime subject, it shall be deprived of in favor of the state also when it is not owned by the perpetrator, unless its value does not comply to the severity of the crime.

(8) Whoever prepares, acquires, keeps or conceals objects, materials or tools, which he knows are intended or have served for the extraction of underground resources without a concession, shall be punished by imprisonment for up to five years.

### **Section III.**

#### **Crimes against the customs regime (Title amend. - SG 50/95)**

Art. 241. (Revoked - SG 50/95)

Art. 242. (Amend. - SG 95/75) (1) (Amend. - SG 10/93; amend. - SG 26/04) Whoever carries through the border of the country commodities without the knowledge and the permit of the customs, when it is committed:

- a) by persons who systematically carry out such activity;
- b) (amend. - SG 26/04) by using a document with untrue contents, another's, false or forged document;
- c) by an official who has a direct contact with the customs office;
- d) (amend. - SG 95/75, suppl. - SG 92/02; suppl. - SG 26/04; suppl. - SG 33/11, in force from 27.05.2011) by carrying out strongly active or poisonous substances, explosive substances, weapons or munitions, firearms, pyrotechnics, nuclear material, nuclear equipment or other sources of ionising radiation, components or precursors for them determined by a law or by an act of the Council of Ministers, or
- e) (amend. - SG 95/75) commodities and objects for commercial or industrial purposes in large amount;
- f) (new - SG 92/02) by two or more persons who have conspired in advance,
- g) (new - SG 92/02) by a person acting by an errand or in fulfilment of a decision of an organised criminal group
- h) (new - SG 33/11, in force from 27.05.2011) through delivery of a specimen of protected species of wild flora or fauna, a part thereof or a product.

(amend. - SG 26/10) shall be punished for aggravated contraband by imprisonment of three to ten years and by a fine from twenty thousand to one hundred thousand levs.

(2) (New - SG 95/75; amend. - SG 10/93; amend. - SG 62/97; amend. - SG 21/00) Whoever, without a due permit, carries through the border of the country narcotic substances and/or their analogues shall be punished for high-risk narcotic substances by imprisonment of ten to fifteen years and a fine of up to one hundred thousand to two hundred thousand levs and for risky narcotic substances - by imprisonment of three to fifteen years and a fine of ten thousand to one hundred thousand levs.

(3) (New - SG 21/00) Whoever, without a due permit, carries through the border of the country precursors or equipment and materials for the production of narcotic substances shall be punished by imprisonment of two to ten years and a fine of fifty thousand to one hundred thousand levs.

(4) (New Para. 4 - SG 89/86; amend. - SG 10/93; Para. 3 revoked, prev. para 4 - SG 50/95; amend. - SG 62/97; prev. para 3, amend. - SG 21/00) When the subject of the contraband under the preceding paras is of a particularly large size and the case is particularly serious, or some of the persons under letter "e" of para 1 is a customs employee, the penalty shall be: in the cases under para 1 - imprisonment of five to fifteen years and a fine of fifty thousand to two hundred thousand levs, and in the cases under para 2 and 3 - imprisonment of fifteen to twenty years and a fine of two hundred thousand to three hundred thousand levs.

(5) (Prev. para 2, amend. - SG 95/75; amend. - SG 28/82, in force from 01.07.1982; prev. para 4, amend. - SG 89/86; prev. para 5, amend. - SG 50/95; prev. para 4, amend. - SG 21/2000, amend. - SG 92/02, in force from 01.01.2005; amend. regarding the entry into force "â€" SG 26/04, in force from 01.01.2004; amend. "â€" SG 103/04, in force from 01.01.2005) In the cases under para 1, letter "a", "d" and "e", as well as under para 2, 3 and 4, the court can, instead of fines, impose confiscation of a part or of the whole property of the culprit.

(6) (Prev., para 3; amend. - SG 95/75; amend. - SG 28/82, in force from 01.07.1982; prev. para 5, amend. - SG 89/86; amend. - SG 10/93; prev. para 6 - SG 50/95; amend. - SG 62/97; prev. para 5, amend. - SG 21/00) In minor cases under para 1, 2 and 3 the penalty shall be a fine of up to one thousand levs imposed through administrative channels.

(7) (Prev., para 4, amend. - SG 95/75; prev. para 6, amend. - SG 89/86; prev. para 7 - SG 50/95; prev., para 6 - SG 21/00) The subject of the contraband shall be seized in favour of the state regardless of whose property it is, and if it is missing or expropriated, its equivalent at respective state retail prices shall be awarded.

(8) (Prev. para 5, amend. - SG 95/75; prev. para 7, amend. - SG 89/86; prev. para 8 - SG 50/95; prev. para 7 - SG 21/00; declared unconstitutional in the part "even if it is not property of the perpetrator" with Decision of the Constitutional court â„– 12 of 2021 - SG 84/21) The transport or carrying vehicle which has served the transportation or carrying of the commodities subject of the contraband shall be seized in favour of the state, even if it is not property of the perpetrator, unless its value obviously does not correspond to the burden of the offence.

(9) (New - SG 41/85; prev. para 8, amend. - SG 89/86; prev. para 9, amend. - SG 50/95; prev. para 8, amend. - SG 21/00) For preparations related to para 2, 3 and 4, the penalty shall be imprisonment of up to five years. Para. 7 shall apply in these cases.

Art. 242a. (New - SG 21/00; suppl. - SG 26/04) Whoever carries through the state border a commodity accompanied by documents for transit passing and in violation of the established order unloads the commodity on the territory of the country, shall be punished by imprisonment of up to six years and a fine of fifty thousand to five hundred thousand levs. The commodity and the vehicle which has served its carrying shall be seized in favour of the state, regardless of the ownership.

## **Section IV. Crimes against the monetary and credit system**

Art. 243. (1) Whoever makes false or counterfeits genuine currency notes of an existing rate in the country or abroad, shall be punished for forgery of currency by imprisonment of five to fifteen years.

(2) The same penalty shall be imposed on those who forge:

1. revenue or post stamps and
2. bonds issued by the state or other state securities;
3. (new - SG 62/97; amend. - SG 27/09) payment instruments.

Art. 244. (1) (Д• amend. - SG 62/97, amend. and suppl. - SG 24/05; amend. - SG 27/09, suppl. â€“ SG 101/17) Whoever lets in circulation forged currency or other notes or payment instruments under Art. 243, Para 2, acquires or uses such, knowing that they are forged, or transfers them through the borders of the country, or transports them, shall be punished by imprisonment from two to eight years.

(2) (New - SG 62/97; amend. and suppl. - SG 27/09) The penalty under Para 1 shall also be imposed on a person who keeps such notes or payment instruments under Art. 243, Para 2 in large quantities.

Art. 244a. (New â€“ SG 24/05) (1) (Suppl. â€“ SG 101/17) Whoever in violation of the established order prepares, accepts, acquires, transfers through the border of the country or transports pecuniary notes with exchange rate in the country or abroad, or pecuniary notes, which have not been issued yet, but are intended for putting into circulation as a legal payment means, shall be punished with imprisonment from five to fifteen years.

(2) Whoever knowingly circulates such banknotes, shall be punished with imprisonment of up to eight years.

Art. 245. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 62/97) Whoever accepts forged currency or other note according to art. 243 and, upon understanding its nature, deliberately lets it in circulation as genuine, shall be punished by imprisonment of one to three years and by a fine of up to one thousand levs.

Art. 246. (1) (Amend. - SG 26/04; amend. - SG 27/09) Preparation for committing a crime according to art. 243 or associating for such a purpose or for circulation of forged currency or other notes or payment instruments under Art. 243, Para 2 shall be punished by imprisonment of up to six years.

(2) (Suppl. - SG 24/05) Not punished shall be this accomplice in the association who, before the forgery (if the association was formed for such a purpose), or before the finishing of the preparation of the resources of para 3 or before the beginning of the circulation of the forged notes (if the association was formed for such a purpose), renounces the act and reports to the authorities.

(3) (Amend. and suppl. - SG 24/05; amend. - SG 27/09, amend. â€“ SG 101/17) Whoever draws up, accepts, acquires, keeps or harbours objects, computer software and data, as well any other means, or elements for protection of banknotes, materials or instruments which he knows to be designated or which have served for preparing untrue pecuniary notes, or for forgery of currency or other notes or payment instruments under Art. 243, Para 2 shall be punished by imprisonment of up to six years.

Art. 247. (Amend. - SG 28/82, in force from 01.07.1982; corr. - SG 31/82, amend. - SG 10/93, amend. - SG 92/02; amend. â€“ SG 103/04, in force from 01.01.2005; revoked â€“ SG 26/10)

Art. 248. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93; amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005) Whoever is aware that a crime is being committed according to art. 243 and 244, and does not inform the authorities about that, shall be punished with probation or with a fine of one hundred to three hundred levs.

(2) The preceding para shall not apply to the spouse, the descendants, the ascendants, the brothers and the sisters of the perpetrator and their spouses.

Art. 248a. (New " SG 75/06, in force from 13.10.2006) (1) (Amend. " SG 26/10) Whoever, in order to obtain crediting, presents untrue information, shall be punished by imprisonment of up to three years and a fine of one thousand to five thousand levs.

(2) (Amend. and suppl. " SG 101/17) The same penalty shall be imposed to the one, who concedes untrue data or conceals data in violation of obligation to present such in order to receive resources from funds belonging to the European Union, or granted by the EU to the Bulgarian state, as well as means, belonging to the Bulgarian state by which projects have been co-financed, funded by means of these funds.

(3) (Amend. " SG 26/10, amend. and suppl. " SG 101/17) If the act under paragraphs 1 and 2 has been committed by a person, who manages and represents a legal person or a civil company, or by an entrepreneur, the penalty shall be imprisonment from one to six years and a fine of two thousand to ten thousand levs.

(4) The penalty under para 3 shall also be imposed on the official who has authorised the credit or granted the resources of para 2 should he have known that the presented information is untrue.

(5) (New - SG 27/09; amend. " SG 26/10, amend. " SG 101/17) If, as a result of the act under Para. 2, means have been received from funds belonging to the EU, or granted by EU to the Bulgarian state, as well as means belonging to the Bulgarian state, by which projects are co-financed, funded by means of these funds, the punishment shall be imprisonment from two to eight years.

Art. 249. (Amend. - SG 92/02; amend. " SG 75/06, in force from 13.10.2006) (1) (Amend. - SG 27/09) Whoever uses a payment instrument or data of a payment instrument without the consent of the holder of title, where this act does not constitute a more serious crime, shall be punished by imprisonment of two to eight years and a fine of up to the double size of the obtained sum.

(2) Whoever uses a payment instrument issued in the Republic of Bulgaria or abroad, without having coverage of the sum for which the instrument has been used, shall be punished by imprisonment of one to six years and by a fine of up to the double size of the obtained sum.

(3) Whoever produces, installs or uses a technical device in order to obtain information for the content of payment instrument, shall be punished by imprisonment of one to eight years and a fine of up to the double size of the obtained sum.

(4) The same penalty shall also be imposed on a person who keeps or provides other persons with the information under para 3.

Art. 250. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86; revoked - SG 10/93; new - SG 50/95) (1) (Prev. text of Art. 250 - SG 21/00) Whoever transfers sums outside the country through a bank, using false, forged document or a document of untrue contents, shall be punished by imprisonment of one to ten years and a fine of up to the amount of the double sum of the transfer.

(2) (New - SG 21/00; revoked â€“ SG 75/06, in force from 13.10.2006)

Art. 251. (Revoked - SG 10/93; new - SG 50/95) (1) (Amend. - SG 74/15, amend. â€“ SG, 101/17) Any person failing to perform a duty of declaring monetary funds, precious metals, precious stones or articles containing or made of them, when transferred through the border of the country, where it is an external border of the European Union, and the value of the subject of the crime is of a particularly large size shall be punished by imprisonment of up to 5 years or a fine amounting to the double sum of one fifth of the value of the subject of crime.

(2) (Repealed - SG 83/19)

Art. 252. (Revoked - SG 10/93; new - SG 50/95) (1) (Amend. - SG 62/97; suppl. â€“ SG 23/09, in force from 01.11.2009, amend. â€“ SG 13/20, in force from 14.02.2020) Whoever, without the due permit, carries out by profession banking, insurance or other financial transactions, provides payment services or issues electronic money, for which a permit is required, shall be punished by imprisonment of three to five years and by a confiscation of up to one second of the property of the perpetrator.

(2) (Amend. - SG 62/97) If the activity under Para. 1 has caused another person substantial damages or substantial illegal income has been obtained, the penalty shall be imprisonment of five to ten years and a fine of five thousand to ten thousand levs, whereas the court can also rule confiscation of a part or of the whole property of the perpetrator.

(3) The penalty under para 2 shall also be imposed on those who, in carrying out the banking activity by permit, use resources obtained in violation of the established provisions.

### **Chapter seven.**

#### **CRIMES AGAINST THE FINANCIAL, TAX AND INSURANCE SYSTEMS (TITLE AMEND. - SG 62/97; AMEND. - SG 51/00)**

Art. 253. (Revoked - SG 10/93; new - SG 62/97) (1) (Amend. - SG 85/98; amend. - SG 26/04; suppl. â€“ SG 75/06, in force from 13.10.2006) Whoever carries out a financial operation or a transaction with a property, or hides the origin, location, movement or actual rights on a property about which he knows or suspects that they have been acquired through a crime or another socially dangerous act, shall be punished for money laundering by imprisonment of one to six years and a fine of three thousand to five thousand levs.

(2) (New - SG 26/04, suppl. â€“ SG 75/06, in force from 13.10.2006) The penalty under para 1 shall also be imposed on those who acquire, receive, keep, use, transform or contribute in any way for the transformation of a property for which he knows

or suspects by the moment of its receipt that it has been acquired through a crime or another socially dangerous act.

(3) (prev. para 2 â€“ amend., SG 26/04) The penalty shall be imprisonment of one to eight years and a fine of five to twenty thousand levs if the act under para 1 and 2 has been committed:

1. (amend., SG 26/04) by two or more persons who have conspired in advance, or by a person acting on an errand or in fulfillment of a decision of an organized criminal group;

2. two or more times;

3. by an official within the scope of his office;

4. (new, SG 26/04) by opening and maintaining an account in a financial institution under a fictitious name or under the name of a person who has not given consent for that.

5. (new - SG 103/20) by an obligated person under Art. 4 of the Measures against Money Laundering Act, or its employee or worker, during or on the occasion of fulfilling the obligations under the same act

(4) (New - SG 21/00; prev. para 3, suppl. - SG 26/04; amend. â€“ SG 75/06, in force from 13.10.2006) The punishment shall be imprisonment from three to twelve years and a fine from twenty thousand to two hundred thousand BGN, when the act under Para. 1 and 2 was committed with funds or property that the perpetrator knew or assumed were acquired through a serious intentional crime.

(5) (New - SG 85/98; prev. para 3 - SG 21/00; prev. para 4, amend. - SG 26/04; amend. â€“ SG 75/06, in force from 13.10.2006) If the means or the property are of particularly large size and the case is particularly serious, the penalty shall be imprisonment of five to fifteen years and a fine of ten to thirty thousand levs, whereas the court shall deprive the culprit of rights according to art. 37, para 1, item 6 and 7.

(6) (New - SG 85/98; prev. para 4 - SG 21/00; prev. para 5, amend. - SG 26/04) The subject of the crime or the property into which it has been transformed shall be seized in favour of the state, and if it is missing or expropriated, its equivalence shall be awarded.

(7) (New - SG 26/04) The provisions of para 1 â€“ 6 shall also apply when the crime through which the property has been acquired does not fall under the criminal jurisdiction of the Republic of Bulgaria.

Art. 253a. (New - SG 26/04) (1) The preparation of money laundering or the association for this purpose shall be punished by imprisonment of up to two years or by a fine of five thousand to ten thousand levs.

(2) The same penalty shall also be imposed on those who instigate another to money laundering.

(3) The property meant for money laundering shall be seized in favour of the state, and if it is missing or alienated, its equivalence shall be adjudged.

(4) Participant in the association under para 1 shall not be punished when, before the completion of money laundering, he terminates his participation in the association and informs the authority about it.

Art. 253b. (New - SG 85/98; prev. text of Art. 253a, amend. - SG 26/04) An official who violates or does not fulfil the provisions of the Measures against money

laundrying Act, if the act does not represent a more serious offence, shall be punished in serious cases by imprisonment of up to three years and a fine of one thousand to three thousand levs.

Art. 254. (Revoked - SG 10/93; new - SG 62/97; revoked " SG 75/06, in force from 13.10.2006)

Art. 254a. (New - SG 51/00) (1) (Suppl. " SG 75/06, in force from 13.10.2006) An official who, in violation of a budget law or a secondary legislation act for its implementation, administers budget resources or expedient resources not according to their purpose, shall be punished by imprisonment of up to three years, or by probation, as well as by revoking of rights according to art. 37, para 1, item 6.

(2) If the act under para 1 has caused harmful consequences for the state or the municipality, the penalty shall be imprisonment of up to five years and revoking of rights according to art. 37, para 1, item 6.

(3) (Revoked " SG 75/06, in force from 13.10.2006).

(4) (Amend. " SG 75/06, in force from 13.10.2006) In the cases under para 1 the perpetrator shall not be punished if, until the conclusion of the court investigation in the first instance court the illegal administering act is revoked and the illegally spent resources are restored in full. This provision shall not apply for a second time.

Art. 254b. (New " SG 24/05) (1) (Amend. " SG 26/10) Whoever uses not for their designation received financial resources from funds. belonging to the European Union or granted by the European Union to the Bulgarian state shall be punished with imprisonment from one to six years.

(2) (Amend. " SG 26/10) If an official orders for the action of the previous paragraph to be accomplished, the penalty shall be imprisonment from two to eight years, the court being able to deprive the guilty person from rights under Art. 37, para 1, items 6 and 7.

Art. 255. (Revoked - SG 10/93; new - SG 62/97, in force from 06.11.97; amend. " SG 75/06, in force from 13.10.2006) (1) Whoever avoids the payment of tax liabilities in large amounts or the establishment of such by:

1. not submitting a declaration;
2. confirming untruth or concealing truth in a filed declaration;
3. not issuing an invoice or another accounting document;
4. destroying, concealing or not preserving accounting documents or accounting registers within the fixed terms;
5. implementing accountancy or admitting the implementation of accountancy in violation of the requirements of the accountancy legislation;
6. working out or using a document of untrue contents, inauthentic or forged document at carrying out economic activity, at keeping accountancy or at providing information to the revenue bodies or the public bailiffs.
7. deducting undue tax credit,

(amend. â€“ SG 26/10) shall be punished by imprisonment of one to six years and by a fine of up to two thousand levs.

(2) (Amend. - SG 67/08; amend. â€“ SG 12/09, in force from 01.01.2010, amend. regarding the entry into force - SG 32/09) When the deed under para 1 is committed with the participation of an employee of border police, customs administration, the National Revenue Agency or a registered auditor, the penalty shall be imprisonment of two to six years and a fine of up to five thousand levs, as well as deprivation of rights according to art. 37, para 1, item 6 and 7.

(3) When the tax liabilities are ones of particularly large size, the penalty shall be imprisonment of three to eight years and confiscation of a part or the entire property of the culprit.

(4) If, until the conclusion of the court investigation at the first instance court, the unannounced or unpaid tax liability is deposited in the budget along with the interest, the penalty under para 1 and 2 shall be imprisonment of up to two years and a fine of up to five hundred levs, and under para 3 - imprisonment of up to three years and a fine of up to one thousand levs.

Art. 255a. (New â€“ SG 75/06, in force from 13.10.2006) (1) Whoever avoids the establishment or the payment of tax liabilities of particularly large size by the transformation of the trade company or other legal person, by carrying out a transaction with a trade company or by carrying out a transaction with related persons within the meaning of the Tax-insurance procedure code, shall be punished by imprisonment of one to six years and a fine of up to ten thousand levs.

(2) When the tax liabilities are ones of particularly large size, the penalty shall be imprisonment of three to eight years and confiscation of a part or the entire property of the guilty party.

(3) If, until the conclusion of the court investigation at the first instance court, the unannounced or unpaid tax liability is deposited in the budget along with the interest, the penalty shall be imprisonment of up to three years and a fine of up to one thousand levs.

Art. 255b. (New â€“ SG 107/14, in force from 01.01.2015) (1) Whoever commits evasion of mandatory contributions to state social insurance or health insurance in large amounts by:

1. declaring insurable income in amounts smaller than the real one intended for the respective insured person;

2. not submitting a declaration;

3. confirming a falsehood or concealing the truth in the statement;

4. drawing up or using an incorrect, inauthentic or counterfeited document when pursuing economic activities, in bookkeeping or when providing information to the revenue authorities;

5. destroying or smuggling away accounting documents, accounting records or payroll within the statutory time,

shall be punishable by imprisonment of up to five years and a fine of up to two thousand levs.

(2) Where the offense under para 1 was committed with the participation of a revenue authority or a registered auditor, the penalty shall be imprisonment of one to six years and a fine up to five thousand Levs as well as deprivation of rights under Art. 37, para 1 items 6 and 7.

(3) Where the liabilities for mandatory contributions to state social security or health insurance are in particularly large amounts, the penalty shall be imprisonment from two to eight years and confiscation of a part or the whole property of the culprit.

(4) If, by the end of the judicial investigation in the first instance court, mandatory contributions to state social security or health insurance are made in the budget together with interest, the penalty under para 1 and 2 shall be imprisonment of up to two years and a fine up to five hundred Levs, while under para 3 the penalty shall be imprisonment of up to three years and a fine up to a thousand Levs.

(5) A worker or employee subject to mandatory insurance shall not be criminally liable under paras 1 â€“ 4, including for abetting and aiding.

Art. 256. (Repealed - SG 10/93, new - SG 62/97; amend. â€“ SG 75/06, in force from 13.10.2006) (1) (Suppl. - SG 103/20, in force from 01.01.2021) Whoever, by using a document of untrue contents, inauthentic or forged document receives from the state budget, from the budget of the state social insurance or from the budget of the National Health Insurance Fund undue pecuniary sum of large size or provides another person with the opportunity to receive such sum, shall be punished by imprisonment of two to eight years and a fine of one thousand to five thousand levs.

(2) When the offence under para 1 is committed with the participation of a person under art. 255, para 2 or a person, who acts by an order or in fulfilment of a decision of organised criminal group, or if the sum received is of particularly large size, the penalty shall be imprisonment of three to ten years and confiscation of a part or the entire property of the culprit as well as deprivation of rights according to art. 37, para 1, item 6 and 7.

(3) (Amend. - SG 103/20, in force from 01.01.2021) If, until the conclusion of the court investigation at the first instance court, the sum received is deposited in the state budget, in the budget of the state social insurance or in the budget of the National Health Insurance Fund along with the interest, the penalty under para 1 shall be imprisonment of up to three years and a fine of up to one thousand levs, and under para 2 - imprisonment of up to five years and a fine of up to three thousand levs.

Art. 257. (Repealed - SG 10/93, new - SG 62/97; in force from 06.11.97; revoked â€“ SG 75/06, in force from 13.10.2006).

Art. 258. (Repealed - SG 10/93, new - SG 62/97) (1) (Amend. - SG 33/11, in force from 27.05.2011) Whoever unlawfully obstructs a revenue body to fulfil his legal obligation shall be punished by imprisonment of up to three years and a fine of one thousand to two thousand levs.

(2) If the act under Para. 1 has been committed by using force or threat, the penalty shall be imprisonment of one to six years and a fine of two thousand to five thousand levs.

Art. 259. (Revoked - SG 10/93; new - SG 62/97) Whoever creates a non-profit legal entity or establishes a foundation that does not carry out or ostensibly carries out the activity and purpose announced at the time of its registration, in order to obtain loans under its guise, to be exempt from taxes, to receive tax reliefs or to receive another property benefit, as well as carry out a prohibited activity, shall be punished by imprisonment for up to three years, a fine of three thousand to five thousand BGN and deprivation of rights according to Art. 37, para 1, item 6 and 7.

Art. 259a. (New - SG 51/00, declared unconstitutional by a Decision of the Constitutional Court № 14 of 2000 - SG 98 of 2000) (1) An official who permits the payment of remuneration without having installed all due obligatory insurance deposits, if the unpaid sum is of large amount, shall be punished by imprisonment of up to three years.

(2) In the cases under para 1, the perpetrator shall not be punished if, until the conclusion of the court investigation in the first instance court, he redeems in full his liability together with the due interest.

Art. 260. (Revoked - SG 10/93; new - SG 62/97) (1) A licensed appraiser who gives a false assessment or conclusion about the value of the appraised property, thus causing damage in serious cases, shall be punished by imprisonment of up to three years and revoking of rights according to art. 37, para 1, item 6 and 7.

(2) (Amend. - SG 67/08) A registered auditor who endorses a false annual accountancy report of an entrepreneur, being aware of this, shall be punished by imprisonment of up to one year and a fine of up to five hundred levs, as well as by revoking of rights according to art. 37, para 1, item 6 and 7.

Art. 260a. (New " SG 101/17) (1) Whoever acquires or disposes of, at his own expense or at the expense of a third person, directly or indirectly, of financial instruments by illegally using internal information referring to them, and therefore substantial adverse consequences have occurred, when it has been perpetrated by a person who has at his disposal internal information due to him being:

1. a member of the administrative, management or supervision body of the issuer or a participant on the market of quotas for issues, or

2. he has share participation in the capital of an issuer or participant on the market of quotas for issues, or

3. he has access to the information through fulfilling an activity, profession or official duties,

shall be punished for misuse of internal information with imprisonment of up to four years and a fine from BGN one thousand to three thousand, whereby the court may order deprivation of right under Art. 37, Para. 1, p. 6 and 7.

(2) The punishment under Para. 1 shall be imposed also on those who acquires or disposes, at own expense or at the expense of a third person, directly or indirectly, of financial instruments by illegally using internal information referring to them, acquired beyond the cases under Para. 1, about which he is aware that it is internal and from this act, substantial dangerous consequences have occurred.

(3) The punishment under Para. 1 shall be imposed to those, who, after giving an order for a financial instrument, receives internal information referring to the financial instrument, and on the basis of it withdraws it or changes it, and significant adverse consequences have occurred therefrom.

(4) The punishment under Para. 1 shall also be imposed on those who, after giving an order or offer - at his own expense or at the expense of a third party - in sales at an auction of quotas for issues and of other based on them tender products, which are conducted under Commission Regulation (EU) No 1031/2010 of 12 November 2010 on the timing, administration and other aspects of auctioning of greenhouse gas emission allowances pursuant to Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowances trading within the Community (OJ, L 302/1 of 18 November 2010), receives internal information referring to them, and on the basis of it changes or withdraws an order or changes or withdraws an offer and significant adverse consequences have occurred therefrom.

(5) Whoever, on the basis of internal information, incites another person to acquire or dispose of financial instruments, change or withdraw order for a financial instrument, to which internal information refers, shall be punished by imprisonment of up to four years.

(6) The punishment under Para. 5 shall also be imposed on those who is aware that he has been incited on the basis of internal information and gives, changes or withdraws an order for a financial instrument, to which the information refers, and significant adverse consequences have occurred therefrom.

(7) If the act under Para. 1 " 6 has been perpetrated:

1. by two or more persons who have agreed upon it in advance;
2. by a person who acts at the behest or in fulfillment of a decision of an organized criminal group;
3. repeatedly,

the punishment shall be imprisonment from two to five years and a fine from BGN one thousand to three thousand.

(8) In the cases under Para. 1 " 7, the crime subject shall be seized in favour of the state, and where it is missing or has been expropriated, its equivalence shall be awarded.

Art. 260b. (New " SG 101/17) (1) Whoever unlawfully discloses to another person inside information that he has about a financial instrument, except when the disclosure is made in the ordinary course of business, the profession or the official duties, or represents a market research, and significant adverse consequences have occurred therefrom, shall be punished for illegal disclosure of internal information by imprisonment of up to two years.

(2) The punishment under Para. 1 shall also be imposed on those who disclose incitement, when they are aware that incitement is based on internal information, and significant adverse consequences have occurred therefrom.

Art. 260c. (New " SG 101/17) (1) (Suppl. " 83/19) Whoever signs deals or gives orders for trade, or performs another kind of activity or action by giving false or misleading signals for the supply, demand or price of a financial instrument or a related

spot contract for goods, or defines this price at an unusual or fictitious level, and significant adverse consequences have occurred therefrom, shall be punished for market manipulation with imprisonment of up to four years and a fine of BGN 1000 to 3000.

(2) Whoever, through using a fictitious means or through misleading signs, concludes deals or gives orders for trade, or perpetrates other type of activity or action which influences the price of one or more financial instruments or a related spot contract for goods, and significant adverse consequences have occurred therefrom, shall be punished by imprisonment from two to four years.

(3) Whoever, with the aim of securing advantage for themselves or for another, disseminates information via media or in another way, which gives untrue or misleading signals for the supply, demand or price of a financial instrument or a related spot contract for goods, or defines - for one or more financial instruments or a related spot contract for goods - a price at unusual or fictitious level, and significant adverse consequences have occurred therefrom, shall be punished by imprisonment of up to four years and a fine from BGN 3000 to 5000.

(4) Whoever provides untrue or misleading information or entry data, or in any other way manipulates calculation of a benchmark, and significant adverse consequences have occurred therefrom, shall be punished by imprisonment from one to four years.

(5) In the cases under Para. 1 "4, the crime subject shall be seized in favour of the state, and where it is missing or expropriated, its equivalence shall be awarded.

Art. 261 - 268. (Revoked - SG 10/93)

**Chapter eight.**  
**CRIMES AGAINST THE ACTIVITY OF STATE BODIES, PUBLIC**  
**ORGANISATIONS AND PERSONS PERFORMING PUBLIC DUTIES**  
**(Title amend. - 62/97; amend. - SG 43/05, in force from 01.09.05)**

**Section I.**  
**Crimes Against the Governing Order**

Art. 269. (Amend. - SG 27/09) (1) (Amend. " SG 26/10) Whoever uses force or threat with the purpose of forcing a body of the authority, a representative of the public, a private bailiff or an assistant-private bailiff to fulfil or miss something related to his official duties or his function, shall be punished by imprisonment of up to six years.

(2) When the crime under Para 1 has been committed by members of a mob, the abettors and the leaders shall be punished by imprisonment from two to eight years.

Art. 270. (1) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93) (1) (Prev. text of Art. 270 - SG 21/00; amend. - SG 92/02, suppl. - SG 43/05, in force from 01.09.05; amend. " SG 64/07; amend. - SG 27/09; amend. " SG 26/10) Whoever illegally obstructs a body of the authority, private bailiff or deputy-private bailiff to fulfil his duties, shall be punished by imprisonment of up to three years or a fine of five hundred to two thousand levs.

(2) (New - SG 21/00; amend. - SG 27/09; amend. â€“ SG 26/10) When the duties of the body of authority are related to a control over the traffic of narcotic substances, analogues or precursors, the penalty shall be imprisonment of up to five years and a fine of ten thousand to fifty thousand levs.

Art. 270a. (New - SG 26/73; revoked - SG 89/86)

Art. 271. (Amend. - SG 92/69; SG 28/82; revoked - SG 99/89)

Art. 272. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 92/02, in force from 01.01.2005; amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004, amend. â€“ SG 103/04, in force from 01.01.2005) Whoever arbitrarily leaves a populated place despite the prohibition established in due administrative order, shall be punished by imprisonment of up to six months or probation.

(2) (Amend. - SG 92/02, in force from 01.01.2005; amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004) Whoever, after the respective warning, continues to violate systematically the legally established measures of administrative supervision with respect to him, shall be punished by probation for a period of one year.

Art. 273. (New â€“ SG 102/06) Whoever discloses information ascertaining affiliation to the State Security or the intelligence services of the Bulgarian National Army, in violation of the Act On Access To And Disclosure Of The Documents And Announcing Affiliation Of Bulgarian Citizens With The State Security Service And The Intelligence Services Of The Bulgarian National Army, shall be punished by imprisonment of three to six years and a fine amounting from fifteen thousand to thirty thousand BGN.

Art. 274. (1) (Amend. â€“ SG 103/04, in force from 01.01.2005) Whoever arbitrarily commits an act that falls within the scope of the office of an official, which he does not hold or from which he is deprived, shall be punished by imprisonment of up to one year or by probation.

(2) The same penalty shall be imposed on whoever unwarrantedly commits an act within the scope of the function of a public representative, which has not been assigned to him or from which he has been deprived, and thereby unlawfully affecting public or private interests.

(3) (Amend. â€“ SG 103/04, in force from 01.01.2005) Whoever, without being entitled, wears uniform clothes or an official sign, shall be punished by imprisonment of up to one year or by probation, as well as by public reprimand.

Art. 274a. (New - SG 92/02) (1) (Amend. and suppl. â€“ SG 26/10) Whoever keeps or wears a company's uniform, official signs or insignia in violation of the Ministry of Interior Act, Act on the Defence and Armed Forces of the Republic of Bulgaria, the Execution of Penalties and Detention Act, or the Judiciary System Act shall be punished by imprisonment of up to three years or probation.

(2) (Amend. â€“ SG 26/10) If the act under para 1 has been committed with the purpose of committing another crime, the penalty shall be imprisonment from one to six years.

(3) (New â€“ SG 26/10) Whoever tarnishes, illegally destroys or damages any uniform, official marks or notices which have been worn or placed according to the Ministry of the Interior Act, the Defence and the Armed Forces of the Republic of Bulgaria Act, the Execution of Penalties and Detention Act or the Judiciary System Act, shall be punished by imprisonment of up to one year.

Art. 275. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend.- SG 10/93; amend. - SG 92/02; amend. â€“ SG 103/04, in force from 01.01.2005, suppl. â€“ SG 43/05, in force from 01.09.05, amend. â€“ SG 64/07) Whoever, being obliged by law to render assistance to a body of the authority, private bailiff or deputy-private bailiff, fails to do so after being duly asked, shall be punished by probation or by a fine of one hundred to three hundred levs.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, amend. â€“ SG 103/04, in force from 01.01.2005) Whoever, after being invited by the respective official - in a life-threatening situation or such threatening the health or property of somebody - refuses to come to the assistance which he can give without any danger for himself or for another, shall be punished by probation or by a fine of one hundred to three hundred levs.

Art. 276. (1) (Amend. â€“ SG 103/04, in force from 01.01.2005) Whoever forges or lets in circulation forged official certifying signs such as seals, signs for the quality of precious metals, entry tickets, transportation tickets and the like, shall be punished by imprisonment of up to two years or by probation.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02) Whoever deliberately uses such a forged sign shall be punished by a fine of one hundred to three hundred levs.

(3) (Amend. â€“ SG 103/04, in force from 01.01.2005) Whoever illegally misappropriates, destroys or hides official certifying signs used for establishing, payment or accounting of values, unless the act constitutes a more serious crime, shall be punished by imprisonment of up to two years or by probation.

(4) (Amend. â€“ SG 103/04, in force from 01.01.2005) Whoever, without due permit, makes a seal of a state or public organisation, shall be punished by imprisonment of up to one year or by probation.

(5) The same penalty shall be imposed on those who misappropriate a seal of a state or public organisation with the purpose of using it illegally.

Art. 277. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93, amend. - SG 92/02, suppl. - SG 43/05, in force from 01.09.05; amend. â€“ SG 64/07) Whoever knowingly removes or damages a seal lawfully placed by a public authority, a private bailiff or an assistant private bailiff on a movable or immovable object to indicate that access to or disposal of it is restricted, shall be punished by imprisonment of up to two years or by a fine of one hundred to three hundred levs.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02) The same penalty shall also be imposed on the one who disposes with chattel placed under constraint and left to him for keeping.

Art. 277a. (New - SG 27/09, in force from 10.04.2009) (1) Whoever seeks archaeological objects without the appropriate permit shall be punished by imprisonment of up to five years.

(2) Whoever, without the appropriate permit, performs or orders the performance of terrain archaeological excavations, geophysical or underwater research or in breach of the legal order undertakes excavations works on the territory of an immovable cultural valuable or within its security zone shall be punished by imprisonment of up to six years and by fine from two thousand to twenty thousand levs.

(3) Where the commission of the acts under Para 1 and 2 involves usage of technical means or motor vehicles, the penalty shall be imprisonment from one to six years and fine from five thousand to fifteen thousand levs.

(4) Whoever orders or fails to prevent illegal activity in a protected territory for preservation of the cultural heritage shall be punished by imprisonment of up to five years and by fine from two thousand to ten thousand levs.

(5) Whoever resumes, orders or fails to prevent the resumption of the activity under Para 4, after it was stopped by the competent authorities, shall be punished by imprisonment from one to six years and fine from three thousand to twenty thousand levs.

(6) The penalties under Para 4 and 5 shall apply also to anybody who organizes or leads the activity, if he knew or assumed that it was carried out in breach of the Cultural Heritage Act.

(7) Whoever illegally makes, keeps or hides articles, materials, tools or computer programmes, that he knows or assumes are intended or have been used for seeking, storing, changing or moving archaeological objects, shall be punished by imprisonment of up to six years and the court may impose also deprivation of the right under Art. 37, Para 1, Item 7.

(8) In the cases under Para 1 - 6, the court may also order confiscation of up to a half of the property of the guilty person, and under Para 7 - of a part or the entire property of the guilty person.

Art. 278. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 27/09, in force from 10.04.2009) (1) Whoever finds a cultural valuable and fails to notify the authorities within seven days shall be punished by imprisonment of up to three years or by fine from five hundred to three thousand levs.

(2) When the cultural valuable possesses considerably high scientific or artistic value, the penalty shall be imprisonment of up to four years or fine from one thousand to five thousand levs.

(3) If destruction or damaging of the cultural valuable has followed, where this was not intended or conceived by the offender, the penalty shall be: in the cases under Para 1 - imprisonment of up to four years and fine from one thousand to five thousand levs, and in the cases under Para 2 - imprisonment of up to five years and fine from two thousand to ten thousand levs.

(4) The perpetrator shall not be punished, when he communicates of the discovered cultural valuable even after the expiration of the term under Para 1, if the consequences under Para 3 have not yet occurred.

(5) An official who fails to request identification and registration of a cultural valuable shall be punished by imprisonment of up to two years and the court may also impose deprivation of the right under Art. 37, Para 1, Item 6.

(6) Whoever keeps an archaeological object which is not identified and registered under the relevant order shall be punished by imprisonment of up to four years and by fine from two thousand to ten thousand levs, and where the object of the crime is natural heritage, and also where three or more archaeological objects are kept - by imprisonment of up to six years and by fine from three thousand to fifteen thousand levs. The court may also impose confiscation of up to the half of the property of the guilty person and deprivation of the rights under Art. 37, Para 1, Items 6 and 7.

(7) The object of the crime shall be seized in favour of the state.

Art. 278a. (New - SG 10/93; amend. - SG 27/09, in force from 10.04.2009) (1) Whoever offers transfer of property or transfers the property in a cultural valuable, which is not identified or registered, shall be punished by imprisonment from one to six years and by fine from one thousand to twenty thousand levs.

(2) The penalty under Para 1 shall be imposed also on the person who acquires such cultural valuable.

(3) Where the acts referred to in Para 1 and 2 are repeated or qualify as dangerous recidivism, or have been commissioned or committed pursuant to a decision of an organised criminal group, as well as where they have been committed in order to export the object of the crime through the boundaries of the country, the penalty shall be imprisonment from three to ten years and fine from five thousand to fifteen thousand levs.

(4) The same penalty shall be imposed to the person who, without the appropriate permit, exports across the boundaries of the country a cultural valuable.

(5) The penalty under Para 1 - 4 shall be imposed also when the object of the crime is a document from the National Archive Fund.

(6) The object of the crime shall be seized in favour of the state, and where it is missing or expropriated, its equivalence shall be awarded.

Art. 278b. (New - SG 10/93; amend. - SG 92/02; amend. - SG 26/04; amend. - SG 27/09, in force from 10.04.2009) (1) Whoever illegally destroys or damages his own cultural valuable or document from the National Archive Fund shall be punished by imprisonment of up to three years or fine from five hundred to two thousand levs and also by public reprimand.

(2) Any official who illegally authorizes destruction, demolition, damaging, modification or exportation of a cultural valuable or of a document from the National Archive Fund shall be punished by imprisonment of up to five years or by fine from one thousand to five thousand levs and the court may impose also deprivation of the right under Art. 37, Para 1, Item 6.

(3) If the act under Para 2 was followed by destruction, demolition, damaging, modification or exportation of a cultural valuable, penalty shall be imprisonment from one

to six years, fine from one thousand to five thousand leva and deprivation of the right under Art. 37, Para 1, Item 6.

Art. 278b<sup>1</sup>. (New " SG 1/19) (1) Whoever, for the purpose of acquiring property for himself or for another, forges a work of art, sculpture, graphics or archeological objects or sites, shall be punished with imprisonment for up to one year and with a fine from two thousand to twenty thousand BGN.

(2) The punishment under Para. 1 shall also be imposed on a person offering to sell or selling as authentic any works of art, sculpture, graphics or archeological objects.

(3) Any person who gives a false statement certifying the authenticity of any works of art, sculpture, graphics or archeological objects or sites, shall be punished with imprisonment of up to one year and with a fine from three thousand to thirty thousand BGN.

(4) If the act is committed by a person in the course of a commercial activity, the punishment shall be imprisonment of up to three years and a fine from ten thousand to fifty thousand BGN, as well as deprivation of rights under Art. 37, Para. 1, item 7.

(5) The object of the crime shall be seized in favour of the State.

Art. 278c. (New - SG 28/82, in force from 01.07.1982; amend. - SG 86/91; prev. Art. 278a - SG 10/93; amend. " SG 33/11, in force from 27.05.2011) (1) Whoever illegally destroys or damages a protected territory or a habitat which is subject to protection in a protected zone shall be punished by imprisonment of up to three years or by probation, as well as by a fine from two thousand to ten thousand leva.

(2) Whoever destroys or damages exceptionally valuable single and irrecoverable earth and rock forms and caves, declared protected shall be punished by imprisonment of up to five years and a fine amounting from two to twenty thousand leva.

(3) When the deed under para 1 or para 2 has been committed by negligence, the penalty shall be probation and a fine amounting from one thousand to five thousand leva.

Art. 278d. (New " SG 33/11, in force from 27.05.2011) (1) Whoever illegally destroys, damages, acquires, keeps or expropriates a specimen of a protected species of wild flora or fauna, provided that the act is not a minor case, shall be punishable by imprisonment of up to three years or probation, as well as by a fine amounting from two thousand to ten thousand leva.

(2) Whoever trades in specimens of protected species of wild flora or fauna, or parts or products of them, provided that the act is not a minor case, shall be punishable by imprisonment of up to five years and a fine amounting from two thousand to twenty thousand leva.

(3) When the deed under para 1 or para 2 has been committed by negligence, the penalty shall be probation and a fine amounting from one thousand to five thousand leva.

Art. 278e. (New " SG 33/11, in force from 27.05.2011) Whoever illegally destroys, damages, keeps, acquires or expropriates a specimen of European or world-wide endangered wild vertebrates or a specimen of the species under Appendix No. 3 to

the Biological Diversity Act, marked with the sign (\*), shall be punishable with imprisonment up to five years, as well as with a fine amounting from five thousand to twenty thousand levs.

Art. 279. (1) (Amend. - SG 10/93; amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, amend. - SG 92/02; amend. " SG 103/04, in force from 01.01.2005, amend. - SG 67/23) Whoever enters or exits through the state border without authorisation from the respective authorities or, even with authorisation but not at the locations determined for that purpose, shall be punished by imprisonment from three to six years and by a fine of one thousand to five thousand levs.

(2) (New - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, amend. - SG 92/02; amend. " SG 103/04, in force from 01.01.2005, amend. - SG 67/23) If the act under para 1 is committed again or represents a dangerous relapse, the punishment shall be imprisonment from three to eight years and a fine from five thousand to ten thousand BGN.

(3) (Prev. para 2, amend. - SG 28/82, in force from 01.07.1982) In the cases under the preceding paras the court, instead of a fine, can rule confiscation of a part or of the whole property of the guilty party.

(4) (Prev. para 3, amend. - SG 28/82, in force from 01.07.1982, amend. " SG 103/04, in force from 01.01.2005, amend. - SG 67/23) Preparation for a crime according to para 1 and 2 shall be punished by imprisonment of up to three years or by probation.

(5) (Prev. para 4 - SG 28/82, in force from 01.07.1982) Not punished shall be those who enter the country in order to enjoy the right to asylum according to the Constitution.

Art. 280. (Amend. - SG 28/82, in force from 01.07.1982; revoked - SG 37/89; new - SG 62/97) (1) (Amend. - SG 74/15, amend. - SG 67/23) Whoever takes across the border of the country individuals or groups of people without permit of the respective bodies of the authority or, though by a permit but not at the places determined for that purpose, shall be punished by imprisonment from three to eight years and a fine of five thousand to twenty thousand levs.

(2) (Amend. - SG 74/15, amend. - SG 67/23) The penalty shall be imprisonment of three to ten years, a fine of ten thousand to thirty thousand levs and a confiscation of a part or the whole property of the perpetrator if:

1. (amend. - SG 67/23) a minor or an underaged has been transferred across the country's border;

2. the transfer has taken place without the consent of the person;

3. the person transferred across the border is not a Bulgarian citizen;

4. motor, air or other vehicle has been used;

5. (amend. - SG 74/15, suppl. - SG 67/23) the transfer has been organised by a group or organisation, or was carried out at the behest and/or in fulfillment of a decision of an organized criminal group;

6. (new - SG 27/09) the transfer was carried out in a way, which was dangerous to the life of the transferred persons;

7. (new - SG 67/23) the act is accompanied by resistance and/or disobedience to an authority;

8. (new - SG 67/23) the act was committed by destroying, undermining or damaging a border security facility.

(3) (New - SG 74/15) The penalty shall be imprisonment of three to twelve years, a fine of ten thousand to thirty thousand levs and confiscation of a part or the entire property of the perpetrator, where the act was committed with the participation of an official, who took advantage of his official capacity.

(4) (Prev. text of Para 03, suppl. - SG 74/15; declared unconstitutional in the part "or was voluntarily provided to him" with Decision of the Constitutional court â„– 12 of 2021 - SG 84/21, amend. - SG 67/23) If the act under Para. 1 and 2 is committed again or represents a dangerous relapse, the punishment shall be imprisonment from three to twelve years, a fine from ten thousand to thirty thousand BGN and confiscation of part or all of the perpetrator's property.

(5) (New - SG 67/23) In the cases of Para. 2, item 5, the vehicle shall be seized in favour of the state if it was owned by the perpetrator or a fine shall be imposed in the amount of the market value of the vehicle in BGN, when it is not his property.

Art. 281. (1) (Revoked - SG 37/89; new - SG 27/09; prev. text of Art. 281, amend. and suppl. - SG 74/15, amend. - SG 67/23) Whoever, in any way, unlawfully assists a foreigner to reside or cross into the country contrary to the law, shall be punished by imprisonment from one to to six years and a fine from three thousand to ten thousand levs.

(2) (New - SG 74/15, amend. - SG 67/23) The penalty shall be imprisonment from two to ten years and a fine of five thousand to twenty thousand levs, where the act was:

1. committed by using a motor, air or other transportation vehicle;

2. (suppl. - SG 67/23) organised by a group or an organisation, or was carried out at the behest and/or in fulfillment of a decision of an organized criminal group;

3. committed in a life-threatening manner for the person;

4. (amend. - SG 67/23) committed with regard to a minor or underaged person;

5. committed with regard to more than one person;

6. (new - SG 67/23) carried out with the purpose of the perpetrator acquiring a property benefit for himself or for another;

7. (new - SG 67/23) accompanied by resistance and/or disobedience to authority.

(3) (New - SG 74/15, declared unconstitutional in the part "or was voluntarily provided to him" with Decision of the Constitutional court â„– 12 of 2021 - SG 84/21, amend. - SG 67/23) If the act under Para. 1 and 2 is committed again or constitutes a dangerous relapse, the penalty shall be imprisonment from three to twelve years and a fine from ten thousand to thirty thousand BGN.

(4) (New - SG 67/23) In the cases of Para 2, Item 1, the vehicle shall be seized in favour of the state, if it was owned by the perpetrator or a fine shall be imposed in the amount of the market value of the vehicle in BGN, when it is not his property.

## **Section II. Criminal Breach of Trust**

Art. 282. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. â€“ SG 103/04, in force from 01.01.2005, amend. â€“ SG 75/06, in force from 13.10.2006) An official who violates or does not fulfil his official duties, or exceeds his authority or rights with the purpose of obtaining for himself or for another benefit or to cause somebody else damage which can cause major harmful damages, shall be punished by imprisonment of up to five years, whereas the court can also rule revoking of rights according to art. 37, para 1, item 6, or probation.

(2) (Amend. - SG 28/82, in force from 01.07.1982, amend. - SG 89/86; amend. â€“ SG 75/06, in force from 13.10.2006) If the act has caused substantial consequences or it has been committed by a person who occupies an important official position the penalty shall be imprisonment of one to eight years, whereas the court can also rule revoking of rights according to art. 37, para 1, item 6.

(3) (New - SG 89/86; amend. â€“ SG 75/06, in force from 13.10.2006) The penalty for particularly grave cases under the preceding para shall be imprisonment of three to ten years, whereas the court shall also rule revoking of right according to art. 37, para 1, item 6.

(4) (New - SG 62/97) The penalty under para 3 shall also be imposed on an official who has committed the offence with the participation of a person according to art. 142, para 2, item 6 and 8.

(5) (New - SG 21/00) If the act under the preceding paras is related to exercising control over the production, processing, storing, trade in the country, the import, export, transit and accountancy of narcotic substances and precursors, the penalty shall be imprisonment of up to ten years under para 1 and three to fifteen years under para 2.

Art. 282a. (New - SG 62/97) An official who, in the presence of the conditions stipulated by a normative act necessary for issuance of special permit for carrying out certain activity, refuses or delays its issuance beyond the law determined terms shall be punished by imprisonment of up to three years, a fine of up to five hundred levs and revoking of right according to art. 37, para 1, item 7.

Art. 283. (Amend. - SG 26/73, amend. - SG 28/82, in force from 01.07.1982) An official who uses his official position in order to provide for himself or for somebody else unlawful benefit shall be punished by imprisonment of up to three years.

Art. 283a. (New - SG 62/97) If the offences under art. 282 and 283 are related to the privatisation, sale, renting or leasing, as well as the inclusion in trade companies of state, municipal and cooperative property, as well as property of corporate bodies the penalty shall be:

1. under art. 282 - imprisonment of three to ten years, a fine of three to five thousand levs and revoking rights according to art. 37, para 1, item 6 and 7;

2. under art. 283 - imprisonment of one to three years, a fine of one thousand to three thousand levs and revoking rights according to art. 37, para 1, item 6 and 7.

Art. 283b. (New - SG 62/97; suppl. - SG 92/02) An official who obstructs or frustrates the exercising by the owners of their rights restored according to the Restoring ownership of nationalized real estate Act, according to the Act On Restoration Of The Ownership In Some Alienated Properties Under The Law Of Territorial And Urban Development, The Law Of Planned Development Of The Settlements, The Law Of Public Works In The Settlements, The Law Of The State Properties And The Law Of Ownership, and according to the Farm Lands Ownership And Use Act and the Compensation Of Nationalized Property Owners Act, the Privatisation and post-privatisation control Act or through enforced judicial acts related to another law shall be punished by imprisonment of two to six years.

Art. 284. (Amend. - SG 26/04) (1) (Amend. " SG 103/04, in force from 01.01.2005) An official who, to detriment of the state, an enterprise, an organisation or an individual, announces to another or promulgates information entrusted to him or accessible by virtue of office, and for which he knows that they represent official secret, shall be punished by imprisonment of up to two years or by probation.

(2) The penalty for an act under para 1 shall also be imposed on a non-official, working in a state establishment, enterprise or public organisation, to whom, in connection with his work, has become known certain information representing official secret.

(3) (Amend. " SG 103/04, in force from 01.01.2005, amend. " SG 9/21, in force from 06.02.2021) If the act under para 1 has been committed by an expert, translator or interpreter in Bulgarian sign language regarding information having become known to him in connection with the assigned task, and which he is obliged to keep secret, the penalty shall be imprisonment of up to two years or probation.

Art. 284a. (New " SG 102/06) An official - member of the Commission for disclosure of the documents and announcing affiliation to State Security or the intelligence offices of the Bulgarian National Army or from its administration, who discloses information or disseminates a document in violation of the Act On Access To And Disclosure Of The Documents And Announcing Affiliation Of Bulgarian Citizens With The State Security Service And The Intelligence Services Of The Bulgarian National Army, which have become known to him/her in his/her capacity as such, shall be punished by imprisonment of three to six years and a fine amounting from fifteen thousand to thirty thousand BGN.

Art. 284b. (New " SG 102/06) An official, who fails to remove from report an associate or an undercover officer holding public office or carrying out public activity within the meaning of the Act On Access To And Disclosure Of The Documents And Announcing Affiliation Of Bulgarian Citizens With The State Security Service And The Intelligence Services Of The Bulgarian National Army, shall be punished by imprisonment of three to six years and a fine amounting from fifteen thousand to thirty thousand BGN.

Art. 284c. (New - SG 27/09) Any official who illegally authorizes or orders the use of special investigation devices, or implements them, or stores information acquired through them shall be punished by imprisonment from one to five years and by fine of up to five thousand levs.

Art. 285. An official who knowingly allows a person subordinate to him to commit a crime related to his office or work, shall be punished by the penalty stipulated for the committed crime.

### **Section III. Crimes Against Justice**

Art. 286. (1) (Amend. - SG 62/97) Whoever, before a respective body of the authority, charges somebody with a crime, knowing that he is innocent, or presents false evidence against him, shall be punished for false accusation by imprisonment of one to six years and by public reprimand.

(2) (Prev. para 3, amend. - SG 62/97) If the falsely accused person is criminally indicted, the penalty shall be imprisonment of one to ten years.

Art. 287. (Amend. - SG 26/04; amend. " SG 75/06, in force from 13.10.2006) A body of the authority who, within the scope of his duties, alone or through another, uses illegal compulsory means, in order to extort from an accused, witness or expert a confession, testimony or conclusion or information, shall be punished by imprisonment of three to ten years and by divesting of rights according to art. 37, para 1, item 6 and 7.

Art. 287a. (New - SG 62/97) Whoever, for the purpose of misleading a body of the judiciary:

1. creates false technical records or forges genuine ones;
  2. destroys a record or a part of it, gathers or arranges the data of the record, thus creating false impression about the substantial circumstance;
  3. uses forged technical records;
  4. uses unlawfully the information acquired by special intelligence devices,
- shall be punished by imprisonment of one to five years and a fine of five hundred to one thousand levs.

Art. 288. (Amend. - SG 50/95; amend. " SG 75/06, in force from 13.10.2006) A body of the authority who fails to fulfil in due time the functions required by the office regarding the criminal proceedings, or in any other way frustrates such proceedings with the purpose of releasing another from a penalty due for him by a law shall be punished by imprisonment of one to six years and by revoking of right according to art. 37, para 1, item 6.

Art. 289. (Amend. - SG 62/97; amend. â€“ SG 103/04, in force from 01.01.2005, amend. â€“ SG 75/06, in force from 13.10.2006; amend. â€“ SG 26/10) Whoever persuades an official of the investigating bodies or of the prosecution or the judiciary to violate his official duty in connection with the administration of justice, shall be punished by imprisonment from one to six years.

Art. 290. (1) Whoever, before a court or other respective body of the authority, as a witness, verbally or in writing, deliberately confirms a falsehood or conceals the truth shall be punished for perjury by imprisonment of up to five years.

(2) (Amend. â€“ SG 9/21, in force from 06.02.2021) The same penalty shall also be imposed on a translator or interpreter in Bulgarian sign language who, before a court or other respective body of the authority, verbally or in writing, deliberately presents untrue translation.

Art. 290a. (New - SG 28/82, in force from 01.07.1982) Whoever confirms a falsehood or conceals the truth in a written declaration, presented to court, shall be punished by imprisonment of up to three years.

Art. 291. (1) (Amend. â€“ SG 75/06, in force from 13.10.2006) Whoever, as an expert before a court or other respective body of the authority, verbally or in writing, presents untrue conclusion, shall be punished by imprisonment of one to five years and by revoking of right according to art. 37, para 1, item 7.

(2) (Amend. â€“ SG 103/04, in force from 01.01.2005, amend. â€“ SG 75/06, in force from 13.10.2006) If the act under the preceding para has been committed by negligence, the penalty shall be imprisonment of up to one year or probation. The court can also rule revoking of the right according to art. 37, para 1, item 7.

Art. 292. (1) (Previous text of Art. 292 - SG 89/86) For a crime under Art. 290 and 291 the indictability shall be dropped:

1. when the person, if he tells the truth, would accuse himself of the crime and
2. (amend. â€“ SG 9/21, in force from 06.02.2021) when the person renounces before the respective body his perjury, translation or conclusion until the enactment of the sentence or the decision and before institution criminal proceedings against him for that act.

(2) (New - SG 89/86) The provision of item 2 of the preceding para shall also apply in the cases of art. 290a when the person withdraws his declaration before a decision is passed on the case with respect to which it has been presented.

Art. 293. (1) (Prev. text of Art. 293, suppl. - SG 89/86, amend. â€“ SG 103/04, in force from 01.01.2005) Whoever incites another to commit a crime under art. 290, 290a and 291, shall be punished by imprisonment of up to one year or by probation.

(2) (New - SG 89/86) If two or more persons are instigated and the case is particularly severe, the penalty shall be imprisonment of up to three years.

Art. 293a. (New - SG 62/97; amend. â€“ SG 75/06, in force from 13.10.2006) Whoever, after being convicted to oblige a pecuniary liability by an effective court act, and during a period of one year from its enactment does not fulfil his obligation to the creditor despite of the presence of pecuniary resources or property for that, shall be punished by imprisonment of up to one year or by probation.

Art. 294. (1) (Amend. - SG 62/97) Whoever helps a person, who has committed a crime, to escape or thwart criminal proceedings against him, or it remains unpunished, without having had agreement with that person before the commission of the crime itself, shall be punished for harbouring by imprisonment of up to five years, however by a penalty no more severe than the stipulated for absconding.

(2) If this is committed for the purpose of a property benefit, the penalty shall be imprisonment of up to five years, however by a penalty no more severe than the stipulated for absconding.

(3) The above provisions shall not apply regarding the spouses, the descendants, the ascendants, the brother and the sisters of the absconding person, as well as their spouses.

(4) (New - SG 62/97; amend. - SG 27/09) If the perpetrator is a judge, prosecutor, investigator or a police authority, investigating policeman, the penalty shall be imprisonment of two to eight years.

Art. 295. (Amend. - SG 50/95; amend. â€“ SG 103/04, in force from 01.01.2005, amend. â€“ SG 75/06, in force from 13.10.2006) A body of the authority who, with the purpose of saving another from penalty or to delay the fulfilment of the penalty, fails to fulfil an enacted conviction, if by virtue of his office he has been obliged to do the necessary for the enforcement of the sentence, shall be punished by imprisonment of up to six years, whereas the court can deprive him of the right according to art. 37, para 1, item 6 or by probation.

Art. 296. (Amend. - SG 92/02) (1) (Suppl. - SG 27/09; amend. â€“ SG 102/09, in force from 22.12.2009; suppl. - SG 41/15, in force from 06.07.2015) Whoever obstructs or thwarts, in any way whatsoever, the enforcement of a court decision or fails to perform an order for protection from domestic violence or European protection order shall be punished by imprisonment of up to three years or a fine of up to five thousand levs.

(2) Whoever, for the purpose of obstructing or frustrating the enforcement of a court decision, destroys, damages, receives or alienates a possession concerned by this decision, shall be punished by imprisonment of up to three years or a fine of one thousand to ten thousand levs, unless the act does not constitute a more severe crime.

(3) (New â€“ SG 60/11) Whoever violates a prohibition on visiting sports events in the state or abroad within the term of the prohibition, imposed pursuant to the Protection of Public Order during Sports Events Act, after being punished for the same act through administrative proceedings, shall be punishable by imprisonment of up to three years or by probation.

(4) (New - SG 16/19) If the act under Para. 1 is repeated, the penalty shall be imprisonment for one to five years.

Art. 297. (1) A prisoner who escapes shall be punished by imprisonment of up to three years.

(2) If the prisoner has used for his escape undermining, demolition, tearing of walls, doors, windows and other, the penalty shall be imprisonment of up to five years.

(3) Prisoner is every restrained in custody by the order established by the law.

Art. 298. (1) Prisoners who have conspired to escape through joint efforts shall be punished by imprisonment of up to two years.

(2) If the prisoners begin the fulfilment of the planned escape, the penalty shall be imprisonment of up to five years.

Art. 299. (Amend. " SG 75/06, in force from 13.10.2006) An official who, without authorisation, releases or lets a prisoner escape, shall be punished by imprisonment of up to five years, whereas the court can deprive the culprit from the right according to art. 37, para 1, item 6.

Art. 300. (Amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, revoked " SG 103/04, in force from 01.01.2005)

#### **Section IV. Bribery**

Art. 301. (1) (Amend. - SG 51/00; amend. - SG 92/02) An official who requests or accepts a gift or any other benefit whatsoever, which is not due, in order to perform or not an act on business or because he has or has not performed such an activity shall be punished for bribery by imprisonment of up to six years and a fine of up to five thousand levs.

(2) (Amend. - SG 51/00; amend. - SG 92/02) If the official has committed some of the acts under para 1 in order to offend or because he has offended his office, if this offence does not represent a crime, the penalty shall be imprisonment of up to eight years and a fine of up to ten thousand levs.

(3) (Amend. - SG 95/75; amend. - SG 51/00; amend. - SG 92/02) If the official has committed some of the acts under para 1 in order to commit or because he has committed another crime related to his office, the penalty shall be imprisonment of up to ten years and a fine of up to fifteen thousand levs.

(4) (Amend. - SG 89/86; amend. " SG 75/06, in force from 13.10.2006) In the cases under the preceding paras, the court shall also rule revoking of right according to art. 37, para 1, item 6 and 7.

(5) (New - SG 92/02) The penalty under para 1 shall also be imposed on a foreign official who requests or accepts bribery or accepts an offer or a promise for bribery.

Art. 302. For a bribery made:

1. (suppl. - SG 92/02; suppl. â€“ SG 26/10) by a person who holds an official position of responsibility, including a judge, member of the jury, prosecutor or investigator or by a police body or an investigating policeman;

2. through extortion through embezzlement;

3. (amend. - SG 28/82, in force from 01.07.1982) repeatedly and

4. in large size, the penalty shall be:

a) (suppl. - SG 89/86; amend. - SG 51/00; suppl. - SG 92/02; amend. â€“ SG 75/06, in force from 13.10.200) in the cases of art. 301, para 1 and 2 - imprisonment of three to ten years, a fine of up to twenty thousand levs and revoking of rights according to art. 37, para 1, item 6 and 7;

b) (amend. - SG 89/86; suppl. - SG 92/02; amend. â€“ SG 75/06, in force from 13.10.200) in the cases of art. 301, para 3 - imprisonment of three to fifteen years, a fine of up to twenty five thousand levs and confiscation of up to one seconds of the property of the culprit, whereas the court shall also rule revoking of rights according to art. 37, para 1, item 6 and 7.

Art. 302a. (New - SG 89/86; suppl. - SG 92/02; amend. â€“ SG 75/06, in force from 13.10.200) For a bribe of particularly large size, representing a particularly serious case, the penalty shall be imprisonment of ten to thirty years, a fine of up to thirty thousand levs, confiscation of the whole or a part of the property of the culprit and revoking of rights according to art. 37, para 1, item 6 and 7.

Art. 303. (Amend. - SG 92/02; revoked - SG 74/15)

Art. 304. (Amend. - SG 51/00, amend. - SG 92/02) (1) Whoever offers, promises or gives a gift or any other benefit whatsoever to an official in order to fulfil or not an activity related to his office, or because he has fulfilled or not such activity, shall be punished by imprisonment of up to six years and a fine of up to five thousand levs.

(2) If, in connection with the bribery, the official has violated his official obligations, the penalty shall be imprisonment of up to eight years and a fine of up to seven thousand levs, where this offence does not constitute a more severe crime.

(3) The penalty under para 1 shall also be imposed on those who offer, promise or give a bribe to a foreign official.

Art. 304a. (New - SG 51/00; Amend. - SG 92/02; suppl. â€“ SG 26/10) Whoever offers, promises or gives a bribe to an official holding a position of responsibility, including to a judge, a member of the jury, a prosecutor or an investigator, a police body or an investigating policeman, shall be punished by imprisonment of up to ten years and a fine of up to fifteen thousand levs.

Art. 304b. (New - SG 92/02) (1) Whoever requests or accepts a gift or whatever benefit which is not due, or accepts an offer or a promise of a gift or benefit, in order to exert influence in taking a decision by an official or by a foreign official related to his

office, shall be punished by imprisonment of up to six years or a fine of up to five thousand levs.

(2) Whoever offers, promises or gives a gift or whatever benefit which is not due to a person maintaining that he can exert influence according to para 1 shall be punished by imprisonment of up to three years or a fine of up to three thousand levs.

Art. 304c. (New - SG 74/15) The penalties under the preceding articles shall be imposed also when with the consent of the official, the foreign official or the person claiming to be able to exercise influence, the gift or the benefit has been offered, promised or given to another person.

Art. 305. (Amend. - SG 92/02) (1) The penalties for bribery under the preceding articles shall also be imposed on an arbitrator or an expert, appointed by a court, establishment, enterprise or organisation, if he commits such acts in connection with his assigned task, as well as on those who offers, promises or gives such a bribe.

(2) The penalties for bribery under the preceding articles shall also be imposed on a defender or a client when they commit such acts in order to help settlement in favour of the opposite party or to the detriment of the client a criminal or civil case, as well as on the one who offers, promises and gives such a bribe.

Art. 305a. (New - SG 28/82, in force from 01.07.1982; amend. - SG 92/02) Whoever mediates the commission of some of the acts under the preceding paras, unless the act constitutes a more severe crime, shall be punished by imprisonment of up to three years and a fine of up to five thousand levs.

Art. 306. (Amend. - SG 92/02) Not punished shall be the one who has offered, promised or given a bribe if he has been blackmailed by the official, the arbitrator or by the expert to do that or if he has informed the authorities immediately and voluntarily.

Art. 307. (Amend. - SG 51/00) Whoever intentionally creates circumstances or conditions in order to provoke offering, giving or receiving of a bribe with a purpose of doing harm to those who gives or receives the bribe shall be punished for provoking a bribe by imprisonment of up to three years.

Art. 307a. (New - SG 28/82, in force from 01.07.1982; amend. - SG 92/02) The object of the crime under this section shall be seized in favour of the state, and if it is missing, its equivalence shall be awarded.

## **Chapter eight "a". CRIMES AGAINST SPORTS (NEW - SG 60/11)**

Art. 307b. (New - SG 60 /11) Whoever, by using violence, deception, intimidation or other unlawful means, persuades another person to influence the

development or outcome of a sporting event, administered by a sports organization, shall be punishable by imprisonment from one to six years and a fine amounting from one thousand to ten thousand levs, if the act does not constitute more serious crime.

Art. 307c. (New - SG 60 /11) (1) Whoever promises, offers or gives another person a benefit which is not due in order to influence or because the person has influenced the development or outcome of a sporting event, administered by a sports organization, shall be punishable by imprisonment from one to six years and a fine amounting from five thousand to fifteen thousand levs.

(2) The penalty under para 1 shall also be imposed on a person who asks for or accepts any benefit which is not due or accepts an offer or promise for a benefit in order to influence or because the person has influenced the development or outcome of a sporting event, as well as to a person with whose consent the benefit has been offered, promised or given to a third party.

(3) Whoever mediates so as to be committed any of the acts under para 1 and 2, if the act does not constitute more serious crime, shall be punishable by imprisonment of up to three years and a fine of up to five thousand levs.

(4) The penalty under para 1 shall also be imposed on a person who provides or organizes the provision of the benefit.

(5) The perpetrator shall be punished under the terms of Art. 55, if the latter notifies a proper authority of a crime under paras 1 through 4.

Art. 307d. (New - SG 60 /11) (1) The penalty shall be imprisonment from two to eight years and a fine amounting from ten thousand to twenty thousand levs, in those cases where the act under Art. 307b and 307c has been committed:

1. in regard to a participant in a sports competition under 18 years of age;
2. in regard to two or more participants in a sports competition;
3. in regard to or by a person who is a member of a managing or control body of a sports organization, a referee, delegate or another person during or on occasion of performance of their official duties or functions;
4. repeatedly.

(2) The penalty shall be imprisonment from three to ten years and a fine amounting from fifteen thousand to thirty thousand levs, in those cases where the act under Art. 307b or Art. 307c:

1. has been committed by a person acting on behalf of or pursuant to a decision of an organized criminal group;
2. has been committed under the terms of dangerous recidivism;
3. is a particularly serious case;
4. refers to a sports competition included in a gambling game with betting on the development or outcome of sporting events.

Art. 307e. (New - SG 60 /11) (1) In the cases referred to in Art. 307b, 307c and 307d the court may also rule deprivation of rights pursuant to Art. 37, para 1, items 6 and 7.

(2) In the cases referred to in Art. 307d the court may also rule seizure of up to one half of the culprit's property.

Art. 307f. (New - SG 60 /11) The subject of the crime envisaged in the present chapter shall be seized in favour of the state, and in those cases where it is missing or expropriated, its equivalence shall be awarded.

## **Chapter nine. DOCUMENTARY CRIMES**

Art. 308. (1) Whoever draws an untrue official document or forges the contents of an official document with the purpose of being used shall be punished for forging a document by imprisonment of up to three years.

(2) (New - SG 26/04; amend. - SG 27/09) When subject of the act under para 1 are certificates about heirs or acts on the civil status, notary acts or notary certificates, Bulgarian or foreign identification documents, documents for degree of education or for acquired qualification, certificates for driving vehicles, for registration of vehicles, visa stickers or other documents certifying transfer or constitution of property or other real rights, legal capacity, personal or registration data the penalty shall be imprisonment of up to eight years.

(3) (New - SG 26/04; amend. " SG 33/11, in force from 27.05.2011) The penalty shall be imprisonment of up to ten years, where:

1. (amend. " SG 101/17) the act under para 2 has been committed with a purpose of facilitating a crime under Art. 108a, para 1, 2, 6 or para 7;

2. the act under para 2 has been committed with a purpose of material benefit.

(4) (New - SG 28/82, in force from 01.07.1982, prev. para 2, amend. - SG 26/04) In minor cases, the penalty shall be:

1. (amend. " SG 103/04, in force from 01.01.2005) under para 1 " imprisonment of up to six months or probation;

2. under para 2 " imprisonment of up to two years;

3. under para 3 " imprisonment of up to three years.

(5) (New - SG 26/04) For preparation of crime under para 1 the penalty shall be imprisonment of up to one year. For preparation of a crime under para 2 and 3 or for association for the purpose of committing one of the crimes defined by them the penalty shall be imprisonment of up to six years.

(6) (New - SG 26/04) Not punished shall be the participant in the association who, before the completion of a false official document or forging the contents of an official document (if the association was formed for this purpose) or before the beginning of the distribution of false or forged documents (if the association was formed for that purpose) gives up the act and informs the authorities about it.

(7) (New - SG 26/04) Whoever prepares, keeps or hides objects, materials or instruments for which he knows or suspects that they are designated for or have been used for making or forging a document under para 2 and 3, shall be punished by imprisonment of up to six years.

Art. 309. (1) Whoever, alone or through another, draws an untrue private document or forges the contents of a private document and uses it in order to prove the existence or non-existence, or termination or amendment of a certain right or obligation or some legal relation shall be punished for document forgery by imprisonment of up to two years.

(2) If the crime has as a subject securities the penalty shall be imprisonment of up to three years.

(3) (Amend. - SG 10/93, amend. - SG 92/02; amend. " SG 103/04, in force from 01.01.2005, amend. " SG 101/17) Where the act under Para. 1 has been perpetrated in order to prove that there are or not, or that are terminated or changed rights over assets, shares from a trade company or part, or whole undertaking as combination of rights, duties and factious relations, the punishment shall be imprisonment from 1 to 6 years.

(4) (New " SG 101/17) Where with an act under Para. 3 damages have been caused in especially large proportions, which is a very severe case, the punishment shall be imprisonment from one to 10 years. The court may order confiscation of a part or of the whole property of the guilty person and to deprive him from rights under Art. 37, Para. 1, p. 6 and 7.

(5) (New " SG 101/17) In minor cases under Para. 1 and 2, the punishment shall be probation or a fine of BGN 100 to 300, and under Para. 3 " imprisonment of up to one year, or probation, or a fine from BGN 100 to 300.

Art. 310. (1) (Amend. and suppl. - SG 26/04) If the crime under art. 308, para 1 and art. 309, para 1 and 2 has been committed by an official within the scope of his duties, the penalty shall be imprisonment of up to five years, and in the cases of art. 308, para 2 and 3 " imprisonment of up to twelve years, whereas the court can also rule revoking of right according to art. 37, para 1, item 6.

(2) (New - SG 28/82, in force from 01.07.1982, amend. " SG 103/04, in force from 01.01.2005) In minor cases, the penalty shall be imprisonment of up to one year or probation.

Art. 311. (1) (Amend. " SG 75/06, in force from 13.10.2006) An official who, within the scope of his duties, draws an official document certifying untrue circumstances or statements with the purpose of using this document as a proof of these circumstances or statements shall be punished by imprisonment of up to five years, whereas the court can also rule revoking of right according to art. 37, para 1, item 6.

(2) (Amend. " SG 103/04, in force from 01.01.2005) In minor cases, the penalty shall be imprisonment of up to one year or probation.

Art. 312. (1) (Amend. " SG 103/04, in force from 01.01.2005) A physician who provides somebody with a false certificate for the status of his health when he is not acting as an official shall be punished by imprisonment of up to two years or by probation.

(2) (Amend. " SG 103/04, in force from 01.01.2005) Under the same circumstances, a veterinarian who issues a document of untrue contents for the health status of an animal, shall be punished by imprisonment of up to one year or by probation.

Art. 313. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93; amend. and suppl. - SG 92/02) Whoever confirms a falsehood or conceals a truth in a written declaration or an announcement sent by electronic means which, by virtue of a law, edict or decree of the Council of Ministers, is presented to a body of the authority for certifying the genuineness of certain circumstances shall be punished by imprisonment of up to three years or by a fine of one hundred to three hundred levs.

(2) (New - SG 10/93; amend. - SG 50/95; amend. " SG 26/10) If the act under para 1 has been committed with the purpose of evading payment of due taxes, the penalty shall be imprisonment of up to six years or a fine of twenty to one thousand levs.

(3) (Prev., para 2, amend. - SG 10/93; amend. and suppl. - SG 92/02) The penalty under para 1 shall also be imposed on those who confirm a falsehood or conceals a truth in a private document or an announcement sent by electronic means which, by an explicit provision of a law, edict or decree of the Council of Ministers, is specially obliged to certify the truth, and he uses this document as a proof of falsely certified circumstances or statements.

(4) (New - SG 62/97) Whoever, in connection with public offering of securities by a prospectus or a survey of the economic status, uses untrue favouring data or withholds unfavourable ones, which are of substantial importance for taking a decision for acquiring securities, shall be punished by imprisonment of up to three years and a fine of up to five hundred levs.

Art. 313a. (New - SG 89/86; amend. - SG 99/89; revoked., prev. Art. 313b - SG 10/93) (1) Whoever, in a declaration under art. 4, para 2 of the Act On The Property Of The Bulgarian Communist Party, The Bulgarian National Agriculture Union, The Fatherland Front, The Dimitrov Youth Communist Union, The Union Of Active Fighters Against Fascism And Capitalism, And The Bulgarian Trade Unions confirms a falsehood or conceals a truth with the purpose of frustrating entirely or partially the seizing of the illegally possessed state property shall be punished by imprisonment of three to eight years.

(2) Whoever, upon request, refuses to present a declaration according to art. 4, para 2 of the law under para 1 shall be punished by imprisonment of two to six years.

(3) In the cases under para 1 and 2, the court can also rule revoking of rights according to art. 37, para 1, item 6 and 7.

(4) The perpetrator under para 1 and 2 shall not be punished if, while discovering the truth, he would accuse himself of a crime, or his spouse, descendants, ascendants, brothers or sisters.

Art. 313b. (New " SG 102/06) (1) Whoever destroys, conceals, unmakes or damages document of State Security or of the intelligence offices of the Bulgarian National Army, shall be punished by imprisonment of three to six years and a fine amounting from fifteen thousand to thirty thousand BGN.

(2) The same penalty shall be imposed on the person who keeps a document in violation of the Act On Access To And Disclosure Of The Documents And Announcing Affiliation Of Bulgarian Citizens With The State Security Service And The Intelligence Services Of The Bulgarian National Army.

Art. 314. (Amend. â€“ SG 103/04, in force from 01.01.2005) Whoever deliberately becomes an instrument of introducing false circumstances or statements in an official document drawn by the established order on the grounds of a declaration of an individual, shall be punished by imprisonment of up to two years or by probation.

Art. 315. (1) Whoever draws up a document by filling in a sheet bearing the issuer's signature, with content that does not correspond to the will of the signatory, shall be punished according to the differences under art. 308 and 309.

(2) Punished, in compliance with the same differences, shall be the person who through fraud persuades another to sign a document with contents which do not correspond to the will of the signatory.

Art. 316. The penalty stipulated by the preceding articles of the present chapter shall also be imposed on the person who knowingly uses a false or falsified document, of a document with untrue contents or of a document under the preceding Art. when no criminal liability can be sought from him for the compilation itself of said document.

Art. 317. (Amend. â€“ SG 103/04, in force from 01.01.2005) Whoever illegally uses a document, knowing that the issuer has signed it without any intention of binding themselves by it, shall be punished by imprisonment of up to two years or by probation.

Art. 318. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02; amend. â€“ SG 103/04, in force from 01.01.2005, amend. and suppl. â€“ SG 26/10) Whoever illegally uses an official document issued to another person, with the purpose of misleading a an official or a representative of the public, provided that the law does not qualify the act as a more serious crime, shall be punished by imprisonment of up to two years or by probation or by a fine of one hundred to three hundred levs.

Art. 319. (Amend. â€“ SG 103/04, in force from 01.01.2005) Whoever destroys, conceals or damages a document of another or not belonging to him explicitly with the purpose of causing a damage to another or to provide for himself or for another a benefit shall be punished by imprisonment of up to three years or by probation.

## **Chapter nine "a". COMPUTER CRIMES (NEW - SG 92/02)**

Art. 319a. (New - SG 92/02) (1) (Amend. - SG 38/07, amend. â€“ SG 101/17, amend. - SG 53/22) Whoever unlawfully accesses an information system or parts of it, in no minor cases, shall be punished by imprisonment for up to six years and a fine of up to three thousand levs.

(2) (Amend. â€“ SG 101/17, amend. - SG 53/22) If the act under para 1 has been committed by two or more persons having arranged in advance such an act, the penalty shall be imprisonment of up to six years and a fine of up to five thousand levs.

(3) (Suppl. - SG 38/07, amend. â€“ SG 101/17, amend. - SG 53/22) If the act under para 1 has been committed repeatedly or in respect of data for creating electronic signature, the penalty shall be imprisonment for up to seven years and a fine of up to twenty thousand levs.

(4) (Amend. - SG 26/04; suppl. - SG 38/07, amend. and suppl. - SG 53/22) If the acts under para 1 - 3 have been committed regarding information constituting a state or other secret protected by the law, or against an information system that is part of a critical infrastructure, the punishment shall be from four to eight years of imprisonment, unless subject to a more severe penalty.

(5) (Amend. - SG 53/22) If the act under Para. 4 has caused severe consequences, the penalty shall be from five to twelve years.

Art. 319b. (New - SG 92/02) (1) (Amend. - SG 38/07, amend. â€“ SG 101/17, amend. - SG 53/22) Whoever unlawfully adds, copies, uses, changes, transfers, deletes, damages, deteriorates, hides, destroys computer data in an information system or stops the access to such data in not insignificant cases shall be punished by imprisonment of up to six years and a fine of up to ten thousand levs.

(2) (Amend. â€“ SG 101/17, amend. - SG 53/22) If the act under para 1 has caused significant damages or other severe consequences have occurred, the penalty shall be imprisonment for up to seven years and a fine of up to twenty thousand levs.

(3) (Amend. - SG 53/22) If the act under para 1 has been committed with the purpose of proprietary benefit, the penalty shall be imprisonment from five to seven years and a fine of up to ten thousand levs.

(4) (New â€“ SG 101/17, amend. - SG 53/22) If the act under Para. 1 has been perpetrated through a computer programme, password, access code or other data for access to an information system or to a part of it, intended to affect more than one information system and the consequences under Para. 2 have occurred, the punishment shall be imprisonment from five to eight years and a fine of up to twenty thousand BGN.

(5) (New â€“ SG 101/17, amend. - SG 53/22) The punishment shall be imprisonment from nine to twelve years and a fine of up to thirty thousand levs, where the act under Para. 1:

1. has been perpetrated by a person, who acts upon a commission or in fulfillment of a decision of an organized criminal group;

2. has been perpetrated against an information system, which is a part of a critical infrastructure.

Art. 319c. (New - SG 92/02) (1) (Suppl. - SG 38/07, amend. â€“ SG 101/17, amend. - SG 53/22) Whoever commits an act under art. 319b regarding data provided by virtue of a law, by electronic means or on electronic, or other carrier, shall be punished by imprisonment for up to seven years and a fine of up to five thousand levs.

(2) (Suppl. â€“ SG 101/17, amend. - SG 53/22) If the act under para 1 has a purpose of frustrating fulfilment of an obligation, the penalty shall be imprisonment of up to five to seven years and a fine of up to seven thousand levs.

Art. 319d. (New - SG 92/02) (1) (Amend. - SG 38/07, amend. and suppl. " SG 101/17, amend. - SG 53/22) Whoever introduces a computer virus in an information system or computer network shall be punished by imprisonment for up to seven years and fined by up to five thousand levs.

(2) (New " SG 38/07, amend. " SG 101/17) The penalty of para 1 shall be imposed also on any person introducing another information system intended to spoil the functioning of a computer system or computer network or to learn, delete, erase, change or copy computer data without permission, if such is required, as far as the act does not represent a more severe crime.

(3) (Prev. text of para 02, amend. - SG 38/07, amend. " SG, 101/17, amend. - SG 53/22) If the act under para 1 and 2 has caused considerable damages or it has been repeated, the penalty shall be imprisonment for up to nine years and a fine of up to twenty thousand levs.

(4) (New - SG 53/22) If the deed under Para. 1 and 2 was committed against an information system or a computer network, which is part of a critical infrastructure, the punishment shall be imprisonment from five to twelve years and a fine of up to twenty thousand levs.

Art. 319e. (New - SG 92/02) (1) (Amend. - SG 26/04; amend. - SG 38/07, amend. " SG 101/17, amend. - SG 53/22) Whoever creates, procures for himself or for someone else, introduces, or in another way disseminates computer programmes, passwords, codes, or other similar access data to an information system, or part of it for the purpose of perpetrating a crime under Art. 171, Para. 3, Art. 319a, 319b, 319c, or 319d shall be punished by imprisonment up to six years.

(2) (Suppl. - SG 38/07, amend. " SG, 101/17, amend. - SG 53/22) Where, with the act under Para. 1, personal data, classified information, or other secret protected by the law have been disclosed, insofar as the committed offence does not constitute a more severe crime, the punishment shall be imprisonment from four to seven years.

(3) (New " SG 101/17, amend. - SG 53/22) For an act under Para. 1, perpetrated with pledge, or by a person, who acts upon commission or fulfillment of a decision of an organized criminal group, or with it substantial damages have been caused, or other severe consequences have occurred, the punishment shall be imprisonment for up to nine years.

Art. 319f. (New - SG 92/02, amend. - SG 85/17, suppl. - SG 53/22) Whoever, in supplying information services, violates the provisions of Art. 6, para. 2, item 5 of the Electronic Document and Electronic Trust Services Act, shall be punished with imprisonment for up to six years and a fine of up to five thousand BGN, if not subject to a more severe punishment.

## **Chapter ten.**

### **CRIMES AGAINST PUBLIC ORDER AND PEACE**

Art. 320. (1) (Prev. text of Art. 320 - SG 92/02, amend. - SG 67/23) Whoever overtly incites the public to commit a crime by preaching to a large number of people through mass media or in another similar way, shall be punished by imprisonment of up to three years, but by a penalty not more severe than the one stipulated for the crime itself.

(2) (New - SG 92/02; amend. - SG 33/11, in force from 27.05.2011, suppl. â€“ SG 101/17) The penalty for an overt instigation of a crime under art. 108, para 2 â€“ 4, 6, or 7 shall be imprisonment from two to ten years.

(3) (New - SG 67/23) The punishment under Para. 2 shall also be applied when the act under Para. 1 was committed for racist, xenophobic or sexual orientation-related motives.

Art. 320a. (New - SG 41/85; amend. and suppl., SG 92/02, amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004, amend. â€“ SG 103/04, in force from 01.01.2005, amend. â€“ SG 101/17) Whoever threatens to commit a crime according to art. 108a, para 1 â€“ 4, 6, or 7, art. 330, 333, 334, 336a, 340, 341a, 341b, 341c, 342, para 3, 344, 349, 350 or 352, para 1, 356f, 356k, 356l, or 356m and this threat could give rise to a justified fear of its fulfilment, shall be punished by imprisonment of up to two years.

Art. 321. (1) (Amend. - SG 92/02) Whoever creates or leads an organised criminal group shall be punished by imprisonment of three to ten years.

(2) (Amend. - SG 92/02) Whoever participates in such a group shall be punished by imprisonment of one to six years.

(3) (New - SG 62/97; amend. - SG 21/00; amend. - SG 92/02; suppl. - SG 27/09; amend. and suppl. â€“ SG 26/10) If the group is armed, or formed for profit purposes or for the purpose of committing crime under Art. 142, Art.142a, Art.143a art. 243, 244, 253, 280, 337, art. 339, para 1 - 4, art. 354a, para 1 and 2 and art. 354b, para 1 - 4 or an official participates in it, the penalty shall be:

1. under para 1 - imprisonment of five to fifteen years;

2. under para 2 - imprisonment of three to ten years.

(4) (New - SG 62/97) Not punished shall be a participant in the group who voluntarily delivers himself up to the bodies of the authority and discloses everything he knows about the group, before a crime is committed by him or by it.

(5) (New - SG 62/97) A participant in the group who voluntarily delivers himself up to the bodies of the authority, discloses everything he knows about the group, thus substantially facilitating the discovery and the proving of crime committed by it shall be punished under the conditions of art. 55.

(6) (New - SG 92/02) Whoever arranges with one or more persons to commit crimes in the country or abroad, provided for which is a penalty of imprisonment of more than three years, and which aim at obtaining proprietary benefit or exercising illegal influence on the activity of a body of the authority or of the local independent government shall be punished by imprisonment of up to six years.

Art. 321a. (New - SG 62/97) (1) Whoever participates in the leadership of an organisation or a group which, by using force or exciting fear, concludes transactions or profit benefit, shall be punished by imprisonment of three to eight years.

(2) Whoever participates in such an organisation or a group shall be punished by imprisonment of up to five years.

(3) The property acquired as a result of this activity by the organisation, by the group or by their participants shall be seized in favour of the state if the persons from whom it has been acquired or their successors are unknown.

(4) Applied in the cases under the preceding paras shall be the provision of art. 321, para 4 and 5.

Art. 322. (Amend. â€“ SG 103/04, in force from 01.01.2005) Whoever does not prevent the committing of an obviously serious crime, if he could have done it without a substantial difficulty and without a danger for himself or for another, shall be punished by imprisonment of up to one year or by probation.

Art. 323. (1) (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. - SG 10/93; amend. - SG 62/97) Whoever, without being authorised, and beyond the order established by the law, exercises his or another's real or presumed right contested by another, shall be punished in serious cases by imprisonment of up to five years and a fine of up to one thousand levs.

(2) (Amend. - SG 28/82, in force from 01.07.1982, amend. - SG 10/93; amend. - SG 62/97) Whoever without authorisation occupies a real estate, whose possession has been removed by the due order, shall be punished by imprisonment of up to three years and a fine of five hundred levs.

(3) The perpetrator shall not be punished if, upon a warning by the respective state body, he immediately restores the initial actual status.

(4) The provision of the preceding para shall not apply if the perpetrator, after the restoration, commits the same act again.

(5) (New - SG 50/95) If the act under para 1 has been committed by force or threat, the penalty shall be imprisonment of up to 6 years.

Art. 323a. (New - SG 27/73; amend. - SG 28/82; corr. - SG 31/82; amend. â€“ SG 75/06, in force from 13.10.2006) (1) Whoever constructs a building on a cultivated land, agricultural land or on a pasture, without being entitled to do that, shall be punished by imprisonment of up to two years and by a fine of one thousand to three thousand levs.

(2) When the crime under para 1 is committed again, as well as continuing the construction after it has been stopped by the due authorities, the penalty shall be imprisonment of one to three years and a fine of two thousand to five thousand levs, as well as public reprimand.

Art. 324. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 1/91) (1) (Amend. - SG 10/93; amend. - SG 92/02) (1) Whoever practices a profession or a craft without the respective capacity shall be punished by imprisonment of up to one year or by a fine of one hundred to three hundred levs.

(2) (Amend. - SG 28/82, in force from 01.07.1982, amend. - SG 89/86; amend. - SG 10/93, suppl. - SG 83/98, amend. - SG 92/02, amend. - SG 76/05, in force from 01.01.2007; amend. â€“ SG 75/06) When the profession or trade is related to the health care of the population, the penalty shall be imprisonment of up to three years and a fine of one hundred to three hundred levs. The same penalty shall be imposed to a physician, a doctor in dental medicine or a master-pharmacist who practice their profession in violation of the established order.

(3) (New - SG 89/86; amend. - SG 10/93, amend. - SG 92/02, amend. â€“ SG 75/06, in force from 13.10.2006) If the act under the preceding para. is committed again, the penalty shall be imprisonment of one to five years and a fine of one hundred to three hundred levs, where the court may also rule revoking of rights according to art. 37, para 1, item 6 and 7.

Art. 325. (1) (Amend. â€“ SG 103/04, in force from 01.01.2005) Whoever commits an indecent act, grossly violating the public order and expressing obvious disrespect towards society, shall be punished for hooliganism by imprisonment of up to two years or by probation, as well as by public reprimand.

(2) When the act is accompanied by resistance against a body of the authority or a representative of the public carrying out the obligation of protecting the public order, or the act is distinguished by its contents, by an exceptional cynicism or audacity, the penalty shall be imprisonment of up to five years.

(3) (New - SG 95/16) When the act under Para 1 or 2 is committed during the operation of a motor vehicle, the penalty shall be: under Para 1 - imprisonment up to three years and deprivation of the right under Art. 37, Para 1, Item 7; under Para 2 - imprisonment up to five years and deprivation of the right under Art. 37, Para 1, Item 7.

(4) (New - SG 28/82, in force from 01.07.1982, amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004, amend. - SG 103/04, in force from 01.01.2005; prev. text of Para 03, suppl. - SG 95/16) When the act under the preceding paras is committed again, the penalty shall be: under para 1 - imprisonment of up to three years; under para 2 and 3 - imprisonment of one to five years.

(5) (Prev. para 3; amend. - SG 28/82, in force from 01.07.1982; amend. - SG 92/02, in force from 01.01.2005; amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004, amend. - SG 103/04, in force from 01.01.2005; prev. text of Para 03, suppl. - SG 95/16) If the act under para 1 - 3 represents a dangerous recidivism, the penalty shall be imprisonment of one to six years.

Art. 325a. (New - SG 27/09; amend. - SG 33/11, in force from 27.05.2011) (1) (Amend. - SG 67/23) Whoever organizes or takes part in fights with animals, breeds, trains or provides animals for fights shall be punished by imprisonment of up to six years and by fine from one thousand to ten thousand levs.

(2) (Amend. - SG 67/23) The penalty shall be imprisonment from one to six years, as well as fine from six thousand to fifty thousand levs, where:

1. the act is repeated;
2. the act is committed by a veterinary doctor or technician, or by a person exercising activity or profession related to breeding of animals or taking care for them;

3. a minor or underage person is present at the fight;
4. the fights are being filmed for distribution.

(3) The penalty under para 2 shall also be imposed on persons who organize or participates in gambling on animal fights.

(4) Persons who have committed the act shall not be punished if they voluntarily notify a due authority of any committed crime under Art. Para 1 and para 3.

(5) (New - SG 67/23) When the act under Para. 1 - 3 represents a dangerous relapse, the punishment shall be imprisonment from two to seven years and a fine from ten thousand to twenty thousand BGN.

Art. 325b. (New - SG 33/11, in force from 27.05.2011) (1) (Amend. - SG 67/23) Whoever, by being cruel to a vertebrate animal, unlawfully causes it death, serious or permanent damage to that animal, shall be punishable by imprisonment from one to four years and a fine amounting from one thousand to five thousand levs.

(2) (Amend. - SG 67/23) The penalty shall be imprisonment from two to four years and a fine amounting from two to five thousand levs, where the act under para 1 has been committed:

1. by a person carrying out activity or profession related to breeding or taking care of animals;

2. in a manner or with means dangerous to the life of people or animals, in a manner extremely painful towards the animal or with particular cruelty;

3. in public or in the presence of a minor or underage person;

4. repeatedly.

(3) (New - SG 67/23) If the act under Para. 2 and 3 constitutes a dangerous relapse, the penalty shall be imprisonment from two to five years and a fine from five thousand to ten thousand BGN.

Art. 325c. (New - SG 33/11, in force from 27.05.2011) (1) Whoever does not take enough care of a vertebrate animal that is under their supervision and as a result of this the animal causes medium or severe bodily harm to a person, shall be punishable by imprisonment of up to three years or probation and a fine of up to five thousand levs.

(2) If in the cases under para 1 death has been caused, the penalty shall be imprisonment of up to five years and a fine of up to ten thousand levs.

Art. 326. (1) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 41/85; amend. - SG 92/02, in force from 01.01.2005; amend. regarding the entry into force â€“ SG 26/04, in force from 01.01.2004, amend. SG 103/04, in force from 01.01.2005; prev. text of Art. 326 â€“ SG 26/10) Whoever transmits by a radio, telephone or in any other way false calls or misleading signs for help, for accident or alarm, shall be punished by imprisonment of up to two years.

(2) (New â€“ SG 26/10, amend. - SG 28/20, in force from 24.03.2020) In those cases where considerable harmful effects have been caused as a result of the crime under para 1, the penalty shall be imprisonment of up to five years and a fine from ten thousand to fifty thousand levs.

Art. 327. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02; amend. " SG 60/11) (1) Whoever organises a gambling game in violation of the legally established procedure shall be punished by imprisonment of up to six years and a fine of one thousand to ten thousand levs.

(2) The penalty shall be imprisonment of one to eight years and a fine amounting from two thousand to fifty thousand levs, if the act under para 1:

1. has been committed under the terms of dangerous recidivism;

2. is a particularly serious case;

3. includes betting on the development or outcome of the sports event, administered by a sports organization.

(3) Whoever participates in a gambling game, organized in violation of the legally established procedure, shall be punishable by imprisonment of up to one year or probation.

(4) In those cases where the act under Para. 3 has been committed repeatedly, the penalty shall be imprisonment of up to three years and a fine amounting from five hundred to five thousand levs.

(5) The money and the items subject to the gambling game shall be seized in favour of the state, and if they are missing or expropriated, their equivalence shall be adjudicated.

(6) The perpetrator under Para. 3 shall not be punished, if he/she voluntarily notifies a relevant body of authority about the crime perpetrated under Para. 1 and 2.

Art. 328. (Amend. - SG 28/82, in force from 01.07.1982; revoked " SG 26/10)

Art. 329. (Amend. - SG 95/75) (1) (Amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004; amend. " SG 103/04, in force from 01.01.2005, declared unconstitutional with Decision of the Constitutional Court ",- 13 of 2022 - SG 79/22) An able-bodied person of age, who continuously does not practice a socially useful labour, receiving unearned income in an unwarranted or immoral way, shall be punished by imprisonment of up to two years or by probation.

(2) (Amend. - SG 92/02, in force from 01.01.2005, amend. regarding the entry into force " SG 26/04, in force from 01.01.2004, declared unconstitutional with Decision of the Constitutional Court ",- 13 of 2022 - SG 79/22) Whoever systematically practices begging shall be punished by probation for a period of up to two years.

## **Chapter eleven. GENERALLY DANGEROUS CRIMES**

### **Section I. Offences committed in a generally dangerous way or by generally dangerous means**

Art. 330. (1) Whoever sets fire to a building, inventory, goods, agricultural or other products, a forest, machines, a mine or other property of substantial importance, shall be punished for arson by imprisonment of one to eight years.

(2) The penalty shall be imprisonment of three to ten years:

1. if the fire has been dangerous for the life of somebody;

2. if there has been a danger of its spreading over other property, such as the above;

3. if the property set on fire is of historic, scientific or artistic value or if the premises set on fire kept objects of historic, scientific or artistic value.

4. (new - SG 92/02) if the arson has been an act of a person acting by an order or in fulfilment of a decision of an organisation or a group under art. 321a or an organised criminal group.

5. (new - SG 26/04) if the burning forest or other property of significant value is located in a protected territory;

6. (new - SG 67/23) if the arson was done with racist or xenophobic motives.

(3) If in the cases under the preceding para substantial damages have occurred, the penalty shall be imprisonment of three to twelve years, and if a dead has been caused to somebody, when the perpetrator has not wanted or expected that, the penalty shall be imprisonment of five to fifteen years.

Art. 331. (1) Whoever, by negligence sets on fire another's property according to the preceding Art. shall be punished by imprisonment of up to three years.

(2) (New - SG 92/02) Whoever sets on fire stubble, thus causing fire in the forest fund, shall be punished by imprisonment of up to three years and a fine of five hundred to five thousand levs.

(3) (Prev. para 2 - SG 92/02) If death or substantial damages have been caused, the penalty shall be imprisonment of up to five years.

Art. 332. The perpetrator shall not be punished for arson if, by his own conviction, he has extinguished the fire immediately, before the occurrence of substantial damages.

Art. 333. If the objects under art. 330 have been damaged or destroyed by an explosion, the penalties stipulated by this Art. shall respectively be applied.

Art. 334. (1) Whoever causes flooding, thus exposing to danger the life or the property of another, shall be punished by imprisonment of three to twelve years.

(2) If substantial damages have been caused in these cases, the penalty shall be imprisonment of five to fifteen years, and if a death of somebody has followed, if the perpetrator has not intended and expected that, the penalty shall be imprisonment of ten to fifteen years.

Art. 335. (1) Whoever causes flooding by negligence, thus exposing to danger the life and the property of another, shall be punished by imprisonment of up to three years.

(2) If death or substantial damages have occurred, the penalty shall be imprisonment of up to five years.

Art. 336. (Revoked - SG 41/85)

Art. 336a. (New " SG 101/17) (1) Anyone who creates danger for the life of someone else or for causing severe or average bodily injury, or substantial property damage, where in violation of the established rules:

1. uses explosive, radioactive material, biological chemical or nuclear weapon or other nuclear device in an aircraft against or on a ship or on a fixed platform located on the continental shelf;

2. drops, pours out, throws out or unloads from an aircraft or ship, or from a fixed platform, located on a continental shelf, explosive, radioactive material, biological chemical or nuclear weapon or another nuclear device;

3. drops, pours out, throws out or unloads from an aircraft or ship, or from a fixed platform, located on a continental shelf petrol, liquid natural gas, dangerous or harmful substance, apart from the cases under p. 2;

4. uses an aircraft or ship,

shall be punished by imprisonment from 5 to 15 years.

(2) With the punishment under Para. 1 shall also be punished those, who unlawfully transports on an aircraft or on a ship weapons, dangerous substance, material, IT technology or other object, provided by an international agreement, enforced for the Republic of Bulgaria.

(3) Where an act under Para. 1 and 2 has caused severe or average bodily injury to another person, the punishment shall be imprisonment from 10 to 20 years.

(4) Where an act under Para. 1 and 2 has caused death to someone else, the punishment shall be imprisonment from 15 to 20 years or life imprisonment.

(5) In the cases under Para. 1 " 4, the court shall impose also deprivation from the right under Art. 37, Para. 1, p. 7.

Art. 337. (1) (Amend. - SG 41/85, prev. text of Art. 337, amend. - SG 50/95; amend. and suppl. - SG 92/02; amend. " SG 33/11, in force from 27.05.2011; suppl. " SG 47/16) Whoever manufactures, processes, alters, repairs, works out, stores, trades, transports, imports or exports explosives, firearms, non-firearms, chemical, biological or nuclear weapons, munitions and pyrotechnic articles or destroys cartridge munitions, anti-personnel mines or other articles within the meaning of the Act On Implementation Of The Convention On Cluster Munitions And The Convention On Prohibition Of The Use, Stockpiling, Production And Transfer Of Anti-Personnel Mines And On Their Destruction without having the right according to a law or without a permit issued by the respective body of the authority, where such is required, or does not carry it out according to the given permit, shall be punished by imprisonment of one to six years.

(2) (New - SG 50/95) The penalty shall be imprisonment of two to eight years if the act has been committed:

1. by an official who has misused his official status;

2. repeatedly in major cases.

(3) (New - SG 50/95) If the subject of the crime is of large size, the penalty shall be imprisonment of three to ten years.

(4) (New - SG 50/95) If the subject of the crime is of particularly large size and the case is particularly serious, the penalty shall be imprisonment of five to fifteen years.

(5) (New - SG 26/04) For preparing a crime under para 1 â€“ 4, the penalty shall be imprisonment of up to two years.

Art. 338. (1) (Amend. - SG 10/93; amend. - SG 92/02; amend. â€“ SG 26/10; amend. â€“ SG 33/11, in force from 27.05.2011) Whoever, by keeping, carrying, sending or working with explosives, firearms, munitions for firearms or pyrotechnic articles, does not take the necessary safety precautions and especially the measures stipulated by the respective regulations, ordinances or instructions shall be punished by imprisonment of one to five years or by a fine of five hundred to three thousand levs.

(2) (New - SG 75/06, in force from 13.10.2006; amend. â€“ SG 26/10; amend. â€“ SG 33/11, in force from 27.05.2011) Whoever provides a person, who has not accomplished 18 years of age, with explosives, weapons, munitions, firearms or pyrotechnic articles shall be punished by imprisonment of two to eight years, and by a fine of five thousand levs.

(3) (Prev. text of para 2, amend. - SG 75/06, in force from 13.10.2006; amend. â€“ SG 26/10) If as a result of the acts under para 1 and 2, have occurred average or severe bodily injury or death, or a substantial damages of a property, caused to one or more persons, provided that the perpetrator has not wanted or expected that, the penalty shall be imprisonment of three to ten years, and in particularly serious cases the penalty shall be imprisonment of five to fifteen years.

(4) (New â€“ SG 47/16) Where the subject of the offence are cartridge munitions, anti-personnel mines or other articles within the meaning of the Act On Implementation Of The Convention On Cluster Munitions And The Convention On Prohibition Of The Use, Stockpiling, Production And Transfer Of Anti-Personnel Mines And On Their Destruction, the penalty shall be:

1. in cases referred to in par. 1 â€“ imprisonment for a period from two to eight years;

2. in cases referred to in par. 2 â€“ imprisonment for a period from three to twelve years and a fine of up to ten thousand BG levs;

3. in cases referred to in par. 3 â€“ imprisonment for a period from five to twelve years, and in grave cases â€“ imprisonment for a period from six to fifteen years.

Art. 339. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 41/85; amend. â€“ SG 33/11, in force from 27.05.2011) (1) Whoever acquires, in any way whatsoever, keeps or submits to another explosives, firearms, chemical, biological or nuclear weapons, munitions for firearms or pyrotechnic articles without having due permit shall be punished by imprisonment of two to eight years.

(2) If the case is regarding explosives, firearms chemical, biological or nuclear weapons, munitions for firearms or pyrotechnic articles in large quantities, the penalty shall be imprisonment of three to ten years.

(3) Whoever alienates or submits explosives or firearms chemical, biological or nuclear weapons or pyrotechnic articles to a person who has no permit for their acquisition shall be punished by imprisonment of two to eight years.

(4) The penalty under para 3 shall also be imposed on those who alienate or submit to another munitions for firearms without permit for the latter to carry the respective firearm.

(5) The penalty under para 1 shall also be imposed on a person who, without the respective permit, takes a found explosive, firearm chemical, biological or nuclear weapons, munitions for firearms or pyrotechnic articles.

(6) (New " SG 47/16) Where the subject of the offence are cartridge munitions, anti-personnel mines or other articles within the meaning of the Act On Implementation Of The Convention On Cluster Munitions And The Convention On Prohibition Of The Use, Stockpiling, Production And Transfer Of Anti-Personnel Mines And On Their Destruction, the penalty shall be:

1. in cases referred to in par. 1 " imprisonment for a period from three to ten years;

2. in cases referred to in par. 2 " imprisonment for a period from five to twelve years;

3. in cases referred to in par. 3, 4 and 5 " imprisonment for a period from three to ten years.

Art. 339a. (New - SG 62/97) (1) (Amend. " SG 26/10) Whoever, without due permit required by law, produces, uses, sells or keeps special technical devices for a secret collection of information, shall be punished by imprisonment of one to six years.

(2) (Prev. text of Para 03, amend. - SG 27/09; amend. " SG 26/10) If the act under Para 1 is committed by an official in connection with his duties, the penalty shall be imprisonment of two to eight years.

(3) (Prev. text of Para 02 - SG 27/09) The special technical device shall be seized in favour of the state.

Art. 339b. (New - SG 26/04; amend. - SG 38/07; amend. " SG 26/10) Whoever produces, transports, keeps, acquires or passes on to another products or technologies with double use determined by a law or by an act of the Council of Ministers for the purpose of being used for carrying out transactions in violation of prohibitions, restrictions or sanctions imposed by the Security Council of the United Nations Organisation, by the Organisation for Security and Cooperation in Europe or by the European Union, or ensuing from an international agreement party to which is the Republic of Bulgaria, shall be punished by imprisonment of three to ten years and a fine of up to two hundred thousand levs.

## **Section II.**

### **Offences against the transport and communications**

Art. 340. (1) (Amend. - SG 95/75) Whoever damages a railway rolling stock or a railway, an aircraft, an automobile, an electric transport vehicle (trolley bus, tram and

the like, designated for public transportation) or installations or their appliances, a tunnel, a bridge or support wall along the roads, or damages or allows damaging, strand or sink a ship, thus creating danger for the life of another or for substantial damaging of another's property, shall be punished by imprisonment of five to fifteen years.

(2) (New - SG 95/75) Whoever destroys an aircraft being in operation, or causes a damage rendering it unfit for flying or it is of a nature endangering its flight safety shall be punished by imprisonment of five to twenty years.

(3) (New " SG 101/17) The punishment under Para. 2 shall also punish those, who destroys a ship, or causes a damage to the ship or of its goods, which is of a nature to threaten safety of the ship during sailing, or destroys a fixed platform, including where it is located on a continental shelf, or causes it damage, which is of a nature to threaten its safety.

(4) (New " SG 101/17) With the punishment under Para. 2 shall also punish those, who by using a device, substance or weapon destroys or causes substantial property damages of the devices of an airport, or of an aircraft, located on its territory, which is not in exploitation or terminates the activity of the airport services, which threatens, or is of a nature to threaten the airport safety.

(5) Prev. para 2, amend. - SG 95/75, former Para. 3 " SG 101/17) If in the cases under the preceding paras follows:

1. average or severe bodily injury to one or more persons the penalty shall be imprisonment of eight to fifteen years;

2. (suppl. - SG 50/95; amend. - SG 153/98) death of one or more persons, regardless of whether the consequences under letter "a" have occurred, the penalty shall be imprisonment of ten to twenty years, life imprisonment or life imprisonment without parole.

Art. 341. (Amend. - SG 95/75, amend. " SG 101/17) Where the act under art. 340, para 1 - 4 has been committed by negligence and it has caused:

a) substantial property damages;

b) average or severe bodily injury to one or more persons, regardless of whether consequences under the preceding letter have occurred;

c) death of one or more persons regardless of whether consequences under letter "a" and "b" have occurred,

the penalty shall be: under letter "a" - imprisonment of up to three years; under letter "b" - imprisonment of up to six years; under letter "c" - imprisonment of one to ten years.

Art. 341a. (New - SG 95/75) (1) Whoever places in an aircraft a device or a substance which can destroy it or cause it a damage rendering it unfit for flying or creating danger for its flight safety, unless subject to a more severe penalty, shall be punished by imprisonment of three to ten years.

(2) Whoever endangers the safety of an aircraft in flight by:

a) destroying or damaging an installation or a facility for air traffic control;

b) announcing information or giving a signal being aware that they are false, placing a false sign or removes or moves a sign designated for providing the traffic safety, shall be punished by imprisonment of three to fifteen years.

(3) Whoever commits violence regarding a person on board of an aircraft in flight, if the act has a nature of endangering the safety of this aircraft and does not constitute a more serious crime, shall be punished by imprisonment of five to ten years.

(4) (New â€“ SG 101/17) With the punishment under Para. 3 shall also be punished those, who through using a device, substance or weapon commits violation against a person, on the territory of an airport, if the act is of a nature to threaten the health or life of the people around him, and is not a more severe crime.

(5) (Former Para. 4, amend. â€“ SG 101/17) Where, in the cases under the preceding paras, average or severe bodily injury or death of one or more persons has followed, the penalties stipulated by art. 340, para 5 shall apply respectively.

(6) (Former Para. 5 â€“ SG 101/17) If the act under Para. 1 has been committed by negligence and consequences have occurred according to art. 341, the penalties stipulated by this Art. shall apply respectively.

Art. 341b. (New - SG 95/75) (1) (Amend. and suppl. â€“ SG 101/17) Whoever illegally takes possession over an aircraft on the ground or in flight, or over a ship located in the maritime spaces or in the internal waterways of the Republic of Bulgaria or in the open sea, or over a fixed platform located on the continental shelf, or establishes control over such facilities, shall be punished by imprisonment of up to ten years.

(2) If the act under the preceding para has been committed with force or threat, the penalty shall be imprisonment of three to twelve years.

(3) If the act under the preceding paras has incurred:

a) (suppl. â€“ SG 101/17) considerable damage to the aircraft, of a ship or of the platform;

b) average or severe bodily injury to one or more persons, regardless of whether the consequences under the preceding letter have occurred;

c) (amend. - SG 153/98; amend. â€“ SG 75/06, in force from 13.10.2006) death of one or more persons, regardless of whether the consequences under letter "a" and "b" have occurred,

the penalty shall be: under letter "a" and "b" - imprisonment of five to fifteen years, and under letter "c" - imprisonment of ten to twenty years or life imprisonment without parole, whereas the court can also rule revoking of rights under art. 37, para 1, items 6 - 10.

Art. 341c. (New - SG 95/75; revoked - SG 41/85, new â€“ SG 101/17) (1) Whoever places on a ship, located in the exclusive economic zone of the Republic of Bulgaria or in open sea a device or substance which may destroy or damage it, or destroy the load on the ship, if the act is of a nature to threaten the safe sailing of the sip, shall be punished by imprisonment from 3 to 12 years.

(2) With the punishment under Para. 1 shall be punished, that one, who places on a fixed platform, placed on the continental shelf, a device or substance, which may destroy it or is of a nature to threaten its safety.

(3) Whoever threatens the safe sailing of a ship by:

1. destroying, damaging or violating the work of sea, or river navigation equipment;

2. announcing information or giving a signal, which he knew to be false, placing a false sign or removing or moving a sign intended to guarantee safety of movement,

shall be punished by imprisonment from 3 to 15 years.

(4) Whoever commits violence towards a person on the ship, if the act is of a nature to threaten the safe sailing of the ship and is not a more severe crime, shall be punished by imprisonment from 5 to 10 years.

(5) With the punishment under Apra. 4 shall be punished that one, who commits violence to a person on the board of a fixed platform, placed on the continental shelf, if the act is of a nature to threaten the safety of the platform and is not a more severe crime.

(6) If the cases under Para. 1 " 5 have caused:

1. a average or severe bodily injury of one or more persons, the punishment shall be imprisonment from 8 to 15 years;

2. death of one or more persons, the punishment shall be imprisonment from 10 to 20 years, life imprisonment or life imprisonment without replacement.

(7) Where the act under Para. 1 has been committed because of negligence and have occurred:

1. substantial property damages;

2. average or severe bodily injury of one or more persons, notwithstanding of the fact, whether have occurred consequences under p. 1;

3/ death or one or more persons, notwithstanding of the fact, whether have occurred consequences under points 1 and 2,

the punishment shall be:

under p. 1 " imprisonment from 5 to 10 years;

under p. 2 " imprisonment from 8 to 15 years;

under p. 3 " imprisonment from 10 to 20 years, life imprisonment or life imprisonment without parole.

Art. 342. (Amend. - SG 95/75; amend. - SG 28/82, in force from 01.07.1982)

(1) (Amend. " SG 103/04, in force from 01.01.2005) Whoever, in driving a railway train composition, an aircraft, a motor vehicle, a vessel, combat or special vehicle, violates the traffic rules by admitting the causing of bodily injury or death to another, shall be punished by imprisonment of up to two years or by probation.

(2) (New - SG 28/82, in force from 01.07.1982) The same penalty shall be imposed on a worker or employee of the transport who violates the rules for operation or the requirements for good quality of the repair of the rolling stock, of the roads or of the installations, admitting the causing of average bodily injury or death to another.

(3) (Prev. para 2, amend. - SG 28/82, in force from 01.07.1982) If acts under the preceding paras deliberately cause death, bodily injury or substantial property damage to another the penalty shall be:

a) for causing substantial property damages - imprisonment of one to ten years;

b) for causing average or severe bodily injury to one or more persons, with or without property damages - by three to twelve years;

c) (amend. - SG 85/98) for causing death to one or more persons, with or without consequences under letter "a" and "b" - imprisonment of ten to twenty years, and in particularly severe cases - from fifteen to twenty years or life imprisonment.

(4) (Prev. para 3, amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86; amend. - SG 75/06, in force from 13.10.2006) In the cases under para 3, letter "a" and "b", the court shall deprive the culprit of the rights according to art. 37, para 1, item 6 and 7. In the cases under letter "c", the revoking of these rights shall be for ever.

Art. 343. (Amend. - SG 95/75; amend. - SG 28/82, in force from 01.07.1982)

(1) When acts under the preceding Art. by negligence have been caused:

a) (amend. - SG 103/04, in force from 01.01.2005) substantial property damages, the penalty shall be imprisonment of one year or probation;

b) (amend. - SG 103/04, in force from 01.01.2005) severe or average bodily injury, regardless of whether the circumstances under letter "a" have occurred, the penalty shall be imprisonment of up to four years for a severe bodily injury and up to three years or probation for an average bodily harm;

c) (amend. - SG 60/12, in force from 08.09.2012, amend. - SG 67/23) death, regardless of whether the circumstances under letter "a" have occurred, the penalty shall be imprisonment from three to eight years, while in particularly serious cases - imprisonment from five to twelve years.

(2) (New - SG 92/02, amend. - SG 86/05, in force from 29.04.06; amend. - SG 95/16) The penal procedure shall be terminated should the aggrieved so wishes:

1. with respect to crimes under Para 1, Letter a) ;

2. with respect to crimes under Para 1, Letter b) , where no penal proceedings have been terminated with respect to the perpetrator during the latest five years.

(3) (Suppl. - SG 21/00; Prev. para 2 - SG 92/02; amend. - SG 75/06, in force from 13.10.2006 suppl. - SG 60/12, in force from 09.09.2012, suppl. - SG 67/23) If the act is committed in a state of intoxication or after using narcotic substances or their analogues or the person without medical reasons refuses to be tested for alcohol and/or narcotic substances, or their analogues, or pursuant to it, bodily injury or death have occurred to more than one person, or the perpetrator has escaped from the scene of the accident or has been driving without holding the required license when such is required by law, as well as after exceeding the permitted speed in a populated area by more than 50 km/h or if the act was committed after running a red light of the traffic light system, or the act has been committed on a zebra crossing, the penalty shall be:

a) (amend. - SG 60/12, in force from 09.09.2012; amend. - SG 74/15) for severe or average bodily injury - imprisonment of up to six years, and in particularly severe cases - imprisonment from two to ten years;

b) (amend. - SG 74/15, amend. - SG 67/23) for death - imprisonment of five to fifteen years, and in particularly severe cases - imprisonment of ten to twenty years.

(4) (Prev. para 3 - SG 92/02) The penalty under letter "b" of the preceding para shall also be imposed when death has been caused to one or more persons and bodily injury to one or more persons.

(5) (New - SG 67/23) In the cases under Para. 3 and 4, the court may confiscate in favour of the state the aircraft, motor vehicle, vessel or special machine that was used to

commit the crime and is the property of the perpetrator, and when the perpetrator is not the owner - to award its equivalent.

Art. 343a. (1) (New - SG 28/82, in force from 01.07.1982, prev. text of Art. 343a - SG 92/02) If the perpetrator, after the act under the preceding Art., has done everything in his power to render assistance to the injured, the penalty shall be:

a) (amend. â€“ SG 103/04, in force from 01.01.2005) under para 1, letter "b" - imprisonment of up to three years for severe bodily injury and imprisonment of up to two years or probation for average bodily injury;

b) under para 1, letter "c" - imprisonment of up to four years;

c) under para 2, letter "a", when an average or a severe bodily injury has been caused to more than one person - imprisonment of up to four years, and in particularly severe cases - up to six years;

d) under para 2, letter "b", for the death of more than one person - imprisonment of two to ten years, and in particularly severe cases - from three to twelve years.

(2) (New - SG 92/02, amend. - SG 86/05, in force from 29.04.06) For a crime under para 1, letter "a", the penal procedure shall be terminated should the aggrieved so wishes.

Art. 343b. (New - SG 28/82, in force from 01.07.1982; amend. - SG 50/95) (1) (Amend. - SG 74/15) Whoever drives a motor vehicle with alcohol concentration in his blood of over 1.2 per mil, established by the respective order, shall be punished by imprisonment of one to three years and a fine of two hundred to one thousand levs.

(2) (Amend. - SG 92/02; amend. - SG 74/15) Whoever drives a motor vehicle with an alcohol concentration in his blood of over 0.5 per mil, established by the respective order, after having been convicted by an enacted sentence for the act under para 1, shall be punished by imprisonment of one to five years and by a fine of five hundred to one thousand and five hundred levs.

(3) (New - SG 21/00; amend. - SG 74/15, suppl. - SG 67/23) Whoever drives a motor vehicle after using narcotic substances or their analogues duly established shall be punished by imprisonment of one to three years and a fine of five hundred to one thousand and five hundred levs.

(4) (New - SG 74/15) If the act under Para. 3 is committed again, the penalty shall be imprisonment from one to five years and a fine from five hundred to fifteen hundred BGN.

(5) (New - SG 67/23) In the cases under Para. 1, the court shall confiscate in favour of the state the motor vehicle that was used to commit the crime and is property of the perpetrator, and when the perpetrator is not the owner - to award its equivalent.

(6) (New - SG 67/23) Whoever drives a motor vehicle and refuses to be checked in due order to establish the use of alcohol and/or narcotic substances or their analogues, after having been punished for any of these acts by administrative order, shall be punished by imprisonment up to six months and with a fine of two thousand BGN.

(7) (New - SG 67/23) The perpetrator shall not be punished if the refusal under Para. 6 is due to reasons beyond his control.

Art. 343c. (New - SG 50/95) (1) (Amend. - SG 74/15) Whoever drives a motor vehicle during the term of incurring the penalty deprivation of the right to drive a motor vehicle, after being punished for the same offense by administrative order, shall be punished with imprisonment of up to three years and a fine of two hundred to one thousand BGN.

(2) (Amend. - SG 74/15) Whoever, within a year of his being punished by administrative order for driving a motor vehicle without the respective driving license commits such an act shall be punished with imprisonment of one to three years and a fine of five hundred to one thousand and two hundred BGN.

(3) (New - SG 95/16) The penalty under Para 1 shall also be imposed on any person who drives a motor vehicle during the period of serving a compulsory administrative measure of temporary deprivation of a driving license for a motor vehicle.

Art. 343d. (New - SG 50/95; amend. " SG 75/06, in force from 13.10.2006) In all cases of art. 343, 343a, 343b and art. 343c, para 1, the court shall also rule revoking of right according to art. 37, para 1, item 7, as well as according to item 6.

Art. 344. (1) (Amend. - SG 95/75, amend. - SG 74/15) Whoever removes or moves a sign or a signal used for providing the traffic safety of the railway and water transport, as well as of the electric transport, places such a false sign or gives a false signal, thus exposing to danger the life or the property of somebody, shall be punished by imprisonment of one to seven years.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, amend. - SG 74/15) The penalty for the act under para 1 regarding signs of the automobile transport shall be imprisonment of up to two years or a fine of one thousand to five thousand levs.

Art. 345. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, amend. - SG 95/16) (1) Whoever uses a registration plate issued for another motor vehicle or a plate not issued by the respective bodies shall be punished by imprisonment of up to one year or by a fine of five hundred to one thousand levs.

(2) The penalty under Para 1 shall be imposed also to anyone operating a motor vehicle, which is not duly registered.

Art. 345a. (New - SG 21/00) (1) Whoever, in violation of the established order deletes or counterfeits an identification number of a motor vehicle shall be punished by imprisonment of three to ten years and by a fine of five thousand to ten thousand levs.

(2) If the act under the preceding para is repeated, the penalty shall be imprisonment of three to twelve years and a fine of five thousand to fifteen thousand levs.

(3) The penalty shall be imprisonment of up to three years or a fine of up to three thousand levs if numbers of parts of a motor vehicle have been counterfeited.

Art. 346. (1) (Amend. - SG 107/96; amend. - SG 62/97) Whoever takes another's vehicle illegally, possessed by another without his consent, with an intention of using it, shall be punished by imprisonment of one to eight years.

(2) (Amend. - SG 89/86; corr. - SG 90/86; amend. - SG 107/96; amend. - SG 62/97) The penalty shall be imprisonment of one to ten years if:

1. damage of the vehicle has followed or it has been abandoned without supervision, or

2. the act has been committed in a state of intoxication or more than twice, or

3. the misappropriation has been committed under the conditions of art. 195, para 1, item 1 - 6.

4. (new - SG 26/04) the misappropriation has been committed for the purpose of a material benefit from the return of the motor vehicle.

(3) (New - SG 26/04) The penalty under Para. 2 shall also be imposed on a person offering assistance for returning the misappropriated vehicle against a material benefit.

(4) (New - SG 28/82, in force from 01.07.1982; amend. - SG 62/97; prev. para 3 â€“ SG 26/04) In the cases of the preceding paras the court shall rule revoking of a right to drive motor vehicle.

(5) (Prev., para 3 - SG 28/82, in force from 01.07.1982; amend. - SG 62/97; prev. para. 4 â€“ SG 26/04) If, for the purpose of misappropriation of the vehicle or for preservation of its ownership force or threat have been used, the penalty shall be imprisonment of three to twelve years and revoking of right to drive a motor vehicle, whereas the court shall also rule confiscation of no less than 1/2 of the property of the perpetrator.

(6) (New - SG 62/97; prev. para 5 â€“ SG 26/04) The penalty under the preceding para shall also be imposed when the act has been committed by a person under art. 142, para 2, item 6 and 8, or by assignment of an organisation or a group, or when an attempt has been made to export the motor vehicle through the border of the country or when its serial and registration numbers have been changed.

Art. 346a. (New - SG 26/04) If, until the conclusion of the court investigation in the first-instance court, the misappropriated motor vehicle is returned, the penalty shall be:

1. in the cases under art. 346, para 1 â€“ imprisonment of up to five years;

2. in the cases under art. 346, para 2, item 4, if the returning took place before obtaining the material benefit â€“ imprisonment of up to eight years.

Art. 346b. (New - SG 21/00; prev. Art. 346a â€“ SG 26/04, amend. â€“ SG 7/19) Whoever illegally enters another's motor vehicle without the consent of the owner shall be punished by imprisonment of up to three years.

Art. 347. (1) Whoever damages a telegraph, telephone or teletype installation or line, television or radio installation or electrification installation, thus disconnecting or frustrating the communications, shall be punished by imprisonment of up to five years.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005) If the act has been committed by negligence, the penalty shall be imprisonment of up to one year or probation, or a fine of one hundred to three hundred levs.

Art. 348. (Amend. - SG 10/93) Whoever:

a) builds, keeps or uses a radio device which broadcasts in the ether without a written permit;

b) uses a radio device which broadcasts in the ether without prior registration with full positioning data or uses it for purposes not allowed by the permit;

c) without prior written permit changes without authorisation the registered data of the radio device which broadcasts in the ether;

d) (amend. - SG 92/02) obstructs or interferes the activity of a radio communication, radio broadcasting, television or radio repeater station or radio relaying centre, shall be punished by imprisonment of up to five years and a fine of one hundred to three hundred levs, whereas the radio device shall be seized in favour of the state.

Art. 348a. (New - SG 26/04) (1) Whoever, through a fraud or in another illegal way, uses a telecommunication network, facility or service in order to generate or divert, in his or another's interest, a directed transfer of signals, written text, images, sound, data or communications of any kind, through a conductor, radio waves, optic or other transfer medium, shall be punished by imprisonment of up to six years and a fine of up to ten thousand levs.

(2) Where the act under Para. 1 is committed:

1. by two or more persons, having conspired in advance for its fulfillment, where it is no minor case;

2. by using unregistered telecommunication device;

3. repeatedly,

the penalty shall be imprisonment of up to eight years and a fine of one thousand to five thousand levs.

(3) (Amend. " SG 103/04, in force from 01.01.2005) In minor cases under Para. 1, the penalty shall be imprisonment of up to one year or probation.

Art. 348b. (New - SG 28/82, in force from 01.07.1982; prev. Art. 348a " SG 26/04) If the property damages and the bodily injury under art. 343 have been inflicted on a spouse, ascendant, descendant, brother or sister, the criminal proceedings shall be instituted following a complaint by the victim. In these cases, the perpetrator can be deprived through administrative channels of the right to drive a motor vehicle even if a complaint has not been filed or the filed complaint has been withdrawn.

### **Section III.**

#### **Offences against the national health and the environment (title suppl. - SG 26/04)**

Art. 349. (1) Whoever deliberately places or admits an object dangerous for the life or the health in a well, spring, water pipe or in other appliance designated for general use, where or by which drinking water is drawn shall be punished by imprisonment of two to eight years.

(2) (Suppl. - SG 50/95; amend. - SG 153/98) If the act has caused a severe bodily injury, the penalty shall be imprisonment of three to ten years, and if death has followed, the penalty shall be imprisonment of ten to twenty years, life imprisonment or life imprisonment without parole.

(3) (Amend. - SG 41/85) In compliance with the differences under the preceding paras shall also be punished those who, with the purpose of contaminating people, spreads agents of an epidemic disease.

Art. 349a. (New - SG 62/97) (1) Whoever violates rules established for taking and submitting human organs or tissues for transplantation shall be punished by imprisonment of one to three years.

(2) The penalty shall be imprisonment of three to five years if the act has been committed from mercenary motives.

Art. 350. (Amend. - SG 26/04) (1) Whoever prepares foodstuff or beverages for general use in such a way that they create or contain substances dangerous for the health, as well as those who sell, offer for sale or in any other way circulates such foodstuff or beverages shall be punished by imprisonment of up to five years.

(2) Whoever violates rules regulating the obtaining, production, processing, storing or trade with animals, raw materials, foodstuffs or beverages for general use, thus exposing to danger the health or the life of another, shall be punished by imprisonment of up to three years.

(3) If the act under para 1 and 2 has caused an average bodily injury to another, the penalty shall be imprisonment of up to six years, and if a severe bodily injury has been caused to another - imprisonment of one to eight years, and if death has followed - imprisonment of three to fifteen years.

Art. 350a. (New - SG 26/04) Whoever, in violation of a law, produces or offers on the market foodstuffs, animal food or veterinary products, or beverages, thus exposing to danger the life or the health of another, shall be punished by imprisonment of up to three years.

Art. 351. (1) (Amend. â€“ SG 103/04, in force from 01.01.2005) The penalty for acts under art. 349 and 350, committed by negligence, shall be imprisonment of up to two years or probation.

(2) If in this case the death of somebody has followed, the penalty shall be imprisonment of up to five years.

Art. 352. (1) (Amend. - SG 95/75; amend. - SG 86/91; amend. - SG 85/97; amend. - SG 26/04; amend. â€“ SG 33/11, in force from 27.05.2011) Whoever pollutes or

admits pollution of the soil, the air, water streams, basins, underground waters, the territorial or internal sea waters or sea waters in areas specified by an international agreement, to which the Republic of Bulgaria is a party, thus rendering them dangerous to people or animals and plants or unfit for using for cultural and household, health, agricultural and other economic needs shall be punished by imprisonment from one to five years and by a fine from five thousand levs to thirty thousand levs.

(2) (Amend. - SG 26/04) The same penalty shall be imposed to an official who has admitted in designing, construction or operation of draining or irrigation systems not to take the necessary precautions for preventing dangerous pollution of the water supply zones for drinking water supply or the raising of the level of the underground waters in the populated and resort areas.

(3) (Amend. - SG 10/93; amend. - SG 92/02; amend. â€“ SG 103/04, in force from 01.01.2005, amend. â€“ SG 33/11, in force from 27.05.2011) When, as a result of the acts under paras 1 or 2, have been caused:

1. death or serious bodily harm to one or more persons, the penalty shall be imprisonment from five to twenty years and a fine from ten thousand to fifty thousand levs;

2. considerable damages to the environment, the penalty shall be imprisonment from two to eight years and a fine from ten thousand to fifty thousand levs.

(4) (New - SG 95/75; amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02; amend. â€“ SG 33/11, in force from 27.05.2011) If the act under paras 1 or 2 has been committed by negligence the penalty shall be imprisonment of up to three years and a fine from two thousand to twenty thousand levs.

Art. 352a. (New - SG 95/75, amend. - SG 86/91) (1) (Amend. - SG 85/97; amend. and suppl. â€“ SG 33/11, in force from 27.05.2011) Whoever pollutes or admits the pollution by petrol products or derivatives territorial or internal sea waters or sea waters in zones determined by an international agreement party to which is the Republic of Bulgaria, shall be punished by imprisonment of one to six years and by a fine from ten thousand to fifty thousand levs. If the act has been committed by a sea captain, the court shall also rule deprivation of rights as per Art. 37, para 1, item 7.

(2) (Amend. - SG 10/93; amend. â€“ SG 33/11, in force from 27.05.2011) The penalty under para 1 shall also be imposed on a person who contaminates or allows contamination of the waters under para 1 with noxious liquid substances in bulk, specified by an international agreement, to which the Republic of Bulgaria is a party.

(3) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02; amend. â€“ SG 33/11, in force from 27.05.2011) If the act under para 1 or para 2 has been committed by negligence, the penalty shall be imprisonment of up to three years and a fine of up to fifteen thousand levs.

(4) (Amend. - SG 10/93) A captain of a ship or of another vessel who does not announce immediately, at the closest port, about throwing out in waters, according to para 1, of petrol products or derivatives, or of other substances dangerous for the people, the animals or the plants, shall be punished by a fine of up to five hundred levs.

(5) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02) A captain or another person from the commandment of a ship, who does not fulfil an obligation for entry in the ship documents of an operation with substances dangerous for the people, animals or plants, or enters in them false information for such

operations, or refuses to present these documents to the respective officials, shall be punished by a fine of one hundred to three hundred imposed through administrative channels.

Art. 353. (1) (Amend. - SG 95/75; amend. - SG 86/91; amend. - SG 92/02) An official who commissions or orders the commissioning of an enterprise or a heat power station before fitting and activating the necessary purification installations shall be punished by imprisonment of up to three years and by a fine of one hundred to three hundred levs.

(2) The same penalty shall also be imposed to an official who does not fulfil his obligations for building purification installations, as well as for providing the fitness and the continuous correct operation of such installations, for which reason they were unable to operate in full or partially or have discontinued the operation.

(3) (Amend. - SG 10/93; amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005) If the act under the preceding paras has been committed by negligence, the penalty shall be probation or a fine of one hundred to three hundred levs.

(4) (New - SG 95/75; amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93; amend. - SG 92/02) In minor cases, the penalty shall be: under para 1 and 2 - a fine of one hundred to three hundred levs, and under para 3 - a fine of one hundred to three hundred levs imposed through administrative channels.

Art. 353a. (New - SG 86/91; amend. - SG 85/97) An official who, within the scope of his official duties, conceals or announces untrue information about the condition of the environment and its components - air, water, soil, sea areas, thus causing significant damages to the environment, the life and the human health shall be punished by imprisonment of up to five years and a fine of one hundred to one thousand levs.

Art. 353b. (New - SG 62/97; suppl. - SG 92/02; amend. " SG 33/11, in force from 27.05.2011) Whoever, by managing waste not according to the established procedure, creates a risk to the life or health of another person or a risk of causing considerable damages to the environment, shall be punishable by imprisonment from one to five years and a fine amounting from five thousand to thirty thousand levs.

(2) In those cases where the act under Para. 1 results in:

1. death or serious bodily harm to one or more persons, the penalty shall be imprisonment from five to twenty years and a fine amounting from ten thousand to fifty thousand levs;

2. considerable damage to the environment, the penalty shall be imprisonment from two to eight years and a fine amounting from ten thousand to fifty thousand levs.

(3) Whoever violates or does not fulfil their obligations related to ensuring the good working order and the proper functioning of a waste disposal or utilization installation or facility and as a result of this death or serious bodily harm is caused to one or more persons, shall be punishable by imprisonment from five to twenty years and a fine amounting from ten thousand to fifty thousand levs, and in those cases where serious damage has been caused to the environment, the penalty shall be imprisonment from two to eight years and a fine amounting from ten thousand to fifty thousand levs.

(4) In those cases where the deeds under Para. 1 - 3 have been committed by negligence, the penalty shall be imprisonment of up to three years and a fine amounting from two thousand to fifteen thousand levs.

Art. 353c. (New " SG 62/97, amend. - SG 33/11, in force from 27.05.2011)

(1) Whoever manages dangerous waste not according to the established procedure shall be punishable by imprisonment of up to five years and a fine from two thousand to twenty thousand levs.

(2) In those cases where the act under Para. 1 poses danger to the life or health of another person or causes considerable damage to the environment, the penalty shall be imprisonment from one to six years and a fine amounting from ten thousand to thirty thousand levs.

(3) Where the act under para 1 resulted in death or serious bodily harm of one or more persons, the penalty shall be imprisonment from ten to twenty years and a fine amounting from fifteen to fifty thousand levs, and if the act causes serious damage to the environment, the penalty shall be imprisonment from three to ten years and a fine amounting from twenty thousand to fifty thousand levs.

(4) An official who violates or does not fulfil their obligations related to management of dangerous waste shall be punishable by imprisonment of up to three years.

(5) In those cases where the acts under paras 1 through 3 have been committed by negligence, the penalty shall be imprisonment of up to three years and a fine amounting from three thousand to twenty thousand levs.

Art. 353d. (New " SG 33/11, in force from 27.05.2011) (1) Whoever, in violation of the established procedure, transfers waste through the state borders, provided that this is not a minor case, shall be punishable by imprisonment of up to four years and a fine amounting from two thousand to five thousand levs.

(2) Whoever, in violation of international agreements, to which the Republic of Bulgaria is a party, transfers through the state borders dangerous waste, toxic chemical substances, biological agents, toxins and radioactive substances, shall be punishable by imprisonment of from one to five years and a fine amounting from five thousand to five thousand levs.

(3) In those cases where the acts under Para. 1 or 2 have been committed by negligence, the penalty shall be imprisonment of up to two years or probation.

Art. 353e. (New " SG 33/11, in force from 27.05.2011) (1) Whoever keeps, in violation of the established procedure, dangerous substances or mixtures and in doing so poses danger to the life or health of another person or a risk of causing considerable harm to the environment, shall be punishable with imprisonment of up to four years and a fine from two thousand to five thousand levs.

(2) Whoever, in violation of the established procedure, puts into operation or orders putting into operation of an undertaking or facility in the functioning of which are used dangerous substances and in doing so poses danger to the life or health of another person or a risk of causing considerable harm to the environment, shall be punishable with imprisonment from one to five years and a fine from five thousand to twenty thousand levs.

(3) The penalty set out in para 2 shall also be imposed on a person who puts into operation or orders putting into operation of an undertaking or facility not according to the established procedure and the functioning of the said undertaking or facility may pose a danger to the life or health of another person or may cause considerable harm to the environment.

(4) If in the cases under para 2 and 3 has been caused death or serious bodily harm to one or more persons, the penalty shall be with imprisonment from eight to fifteen years and a fine from ten thousand to thirty thousand levs, and in those cases where considerable damage has been caused to the environment, the penalty shall be imprisonment from two to eight years and a fine from fifteen thousand to thirty thousand levs.

(5) In those cases where the acts under paras 1 through 4 have been committed by negligence, the penalty shall be imprisonment of up to two years or probation.

Art. 353f. (New â€“ SG 33/11, in force from 27.05.2011) (1) Whoever, in violation of the established procedure, produces, uses, disseminates, imports or exports through the state border ozone-destroying chemicals, shall be punished by imprisonment of up to four years and a fine from one thousand to five thousand levs.

(2) In those cases where the act under Para. 1 has been committed by negligence, the penalty shall be imprisonment of up to one year or probation.

Art. 353g. (New - SG 26/04; prev. text of Art. 353d â€“ SG 33/11, in force from 27.05.2011) Whoever, in violation of a law, constructs a water intake facility or a facility for using surface or underground waters, shall be punished by imprisonment of up to two years and a fine of five thousand to fifteen thousand levs.

Art. 353h. (New - SG 26/04; prev. text of Art. 353e â€“ SG 33/11, in force from 27.05.2011) Whoever, in violation of a law, uses mineral water for economic activity, shall be punished by imprisonment of up to one year and a fine of up to five thousand levs.

Art. 354. (1) (Amend. - SG 95/75, amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02; suppl. â€“ SG 75/06, in force from 13.10.2006) Whoever, without due permit produces, acquires, keeps, expropriates or submits to another strongly active or poisonous substance, not being a narcotic substance, placed under a permit regime, shall be punished by imprisonment of up to two years or by a fine of one hundred to three hundred levs.

(2) (Amend. - SG 10/93; amend. - SG 92/02, amend. â€“ SG 75/06, in force from 13.10.2006) If the offence under Para. 1 is being committed systematically, the penalty shall be imprisonment of up to three years and a fine of one hundred to three hundred levs.

(3) The object of the crime shall be seized in favour of the state.

(4) (New - SG 95/75; amend. - SG 10/93, amend. - SG 92/02, amend. â€“ SG 103/04, in force from 01.01.2005) Whoever violates rules established for production, acquiring, keeping, accounting, dispensing, transporting or carrying substances under para

1, shall be punished by imprisonment of up to two years or by probation or by a fine of one hundred to three hundred levs.

Art. 354a. (New - SG 95/75; amend. â€“ SG 75/06, in force from 13.10.2006)

(1) Whoever, without due permit, produces, processes, acquires, or keeps narcotic substances or their analogues with the purpose of distribution, or distributes narcotic substances or their analogues shall be punished for high-risk narcotic substances or their analogues - by imprisonment of two to eight years and by a fine of five thousand to twenty thousand levs, and for risky narcotic substances or their analogues - by imprisonment of one to six years and by a fine of two thousand to ten thousand levs. If the subject of the crime are precursors or installations or materials for production of narcotic substances or their analogues, the penalty shall be imprisonment of three to twelve years and a fine of twenty thousand to one hundred thousand levs.

(2) (Amend. â€“ SG 26/10) In case the narcotic substances or their analogues are in large amount, the penalty shall be imprisonment of three to twelve years and a fine of ten thousand to fifty thousand levs. Whoever, without a due permit at a public place, acquires or keeps with the purpose of distribution or distributes narcotic substances or their analogues, as well as in case the narcotic substances or their analogues are in particularly great amount or the act is committed:

1. by a person, who acts by an order or in fulfilment of a decision of organised criminal group;

2. by a physician or a pharmacist;

3. by a tutor, teacher, head of educational establishment or an official during or on occasion of fulfilment of his/her duty;

4. under the conditions of dangerous recidivism,

the penalty shall be imprisonment of five to fifteen years and a fine of twenty thousand to one hundred thousand levs.

(3) Whoever, without a due permit, acquires or keeps narcotic substances or their analogues, shall be punished:

1. for high-risk narcotic substances or their analogues - by imprisonment of one to six years and by a fine of two thousand to ten thousand levs;

2. for risky narcotic substances or their analogues - by imprisonment of up to five years and by a fine of one thousand to five thousand levs.

(4) Whoever violates rules established for the production, acquisition, keeping, accounting, dispensing, transportation or carrying narcotic substances shall be punished by imprisonment of up to five years and by a fine of up to five thousand levs, whereas the court can also rule revoking of the rights according to art. 37, para 1, item 6 and 7.

(5) In minor cases under para 3 and 4, the penalty shall be a fine of up to one thousand levs.

(6) In the cases under para 1 â€“ 5, the subject and the resources of the crime shall be seized in favour of the state.

Art. 354b. (New - SG 95/75) (1) (Amend. - SG 62/97; amend. - SG 21/00; amend. â€“ SG 75/06, in force from 13.10.2006) Whoever persuades or assists another to using narcotic substances or their analogues shall be punished by imprisonment of one to eight years and a fine of five thousand to ten thousand levs.

(2) (Amend. - SG 21/00) When the act under para 1 has been committed:

1. with respect to an underage, minor or insane person;
2. with respect to two or more persons;
3. (suppl. â€“ SG 75/06, in force from 13.10.2006) by a physician, pharmacist, tutor, head of an educational establishment or official in the places of imprisonment during or on occasion of fulfilment of his/her duty;
4. (amend. â€“ SG 75/06, in force from 13.10.2006) at a public place;
5. (amend. â€“ SG 75/06, in force from 13.10.2006, amend. - SG 67/23) through the mass media;
6. (amend. â€“ SG 75/06, in force from 13.10.2006) under the conditions of dangerous recidivism,

the penalty shall be imprisonment of three to ten years and a fine of twenty thousand to fifty thousand levs, whereas the court, in the cases under item 3 and 4, shall also rule revoking of right according to Art. 37, Para. 1, items 6 and 7.

(3) (New - SG 21/00; amend. â€“ SG 75/06, in force from 13.10.2006) Whoever gives another a narcotic substance or its analogue in quantities which can cause death or such follows shall be punished by imprisonment of fifteen to twenty years and a fine of one hundred thousand to three hundred thousand levs.

(4) (Amend. - SG 10/93; amend. - SG 62/97; prev. Para. 3 - SG 21/00; amend. â€“ SG 75/06, in force from 13.10.2006) Whoever systematically submits premises to various persons for the purpose of using narcotic substances or organises the using of such substances shall be punished by imprisonment of one to ten years and a fine of five thousand to twenty thousand levs.

(5) (Amend. - SG 10/93; amend. - SG 62/97; prev. para 4 - SG 21/00; amend. â€“ SG 75/06, in force from 13.10.2006) A physician who in violation of the established order deliberately prescribes to another person narcotic substances, their analogues or medicines containing such substances, shall be punished by imprisonment of up to five years and by a fine of up to three thousand levs, whereas the court can also rule revoking of rights according to art. 37, para 1, item 6 and 7.

(6) (Prev. para 5 - SG 21/00; amend., SG 26/04) If the act under the preceding Para. has been repeated, the penalty shall be imprisonment of one to six years and revoking of rights according to art. 37, para 1, item 6 and 7.

Art. 354c. (New - SG 95/75; amend. - SG 62/97; amend. - SG 21/00) (1) (Amend. â€“ SG 75/06, in force from 13.10.2006) Whoever plants or grows plants of opium poppy, cocaine bush or plants of the kind of cannabis in violation of the rules established by the Control over narcotic substances and precursors Act, shall be punished by imprisonment of two to five years and by a fine of five thousand to ten thousand levs.

(2) (Amend. â€“ SG 75/06, in force from 13.10.2006) Whoever organises, leads or finances an organised criminal group growing plants according to para 1, or obtaining, producing or processing narcotic substances shall be punished by imprisonment of ten to twenty years and by a fine of fifty thousand to two hundred thousand levs.

(3) (Suppl. â€“ SG 75/06, in force from 13.10.2006) Whoever participates in an organised criminal group according to the preceding para shall be punished by imprisonment of three to ten years and a fine of five thousand to ten thousand levs.

(4) (Suppl. â€“ SG 75/06, in force from 13.10.2006) Not punished shall be a participant in an organised criminal group who voluntarily has announced to the authorities all known to him facts and circumstances regarding the activity of the criminal group.

(5) In minor cases under para 1, the penalty shall be imprisonment of up to one year and a fine of up to one thousand levs.

Art. 355. (1) (Amend. - SG 28/82; amend. - SG 10/93; amend. - SG 92/02, amend. â€“ SG 103/04, in force from 01.01.2005, amend. and suppl. - SG 23/20, amend. - SG 28/20, in force from 24.03.2020) Whoever violates an ordinance, rules or measures issued against the spreading or occurrence of infection disease among the people shall be punished with imprisonment of up to three years or by a fine of one thousand to ten thousand levs.

(2) (Amend. - SG 103/04, in force from 01.01.2005, amend. - SG 23/20) If the act is committed at a time of epidemic, pandemic or a state of emergency related to death cases, the penalty shall be imprisonment of up to five years and a fine of ten to fifty thousand levs.

(3) (Amend. - SG 28/82; amend. - SG 10/93; amend. - SG 92/02, amend. â€“ SG 103/04, in force from 01.01.2005) Whoever violates an ordinance issued for the prevention of food poisoning, shall be punished by probation or by a fine of one hundred to three hundred levs.

Art. 356. (1) Whoever violates the established construction, sanitary or fire safety rules in designing, managing or fulfilment of construction, thus exposing to danger the life of another, shall be punished by imprisonment of up to two years.

(2) (Amend. â€“ SG 103/04, in force from 01.01.2005) If the violation of the rules under the preceding para has been committed by negligence, the penalty shall be imprisonment of up to one year or probation.

#### **Section IV.**

##### **Other generally dangerous offences (New - SG 41/85)**

Art. 356a. (New - SG 41/85, amend. - SG 21/00; suppl. - SG 26/04; amend. â€“ SG 33/11, in force from 27.05.2011) For preparation of a crime according to art. 330, 333, 334, 340, 341a, 341b, art. 342, para 3, art. 344, 349, 350, art. 352, para 1, art. 353g, art. 354, 354a and 354c, unless the act represents a more severe crime, the penalty shall be imprisonment of three to eight years, but no more than the penalty stipulated for the respective crime.

Art. 356b. (New - SG 41/85) (1) A foreign citizen who. on the territory of the Republic of Bulgaria prepares an act to be committed abroad according to art. 242, para 2 and 3 or some of the acts under art. 356a shall be punished by imprisonment of up to five years, but no longer than the penalty stipulated for the respective crime.

(2) If an organisation or a group is founded for the same purpose, the penalty shall be imprisonment of one to six years, and for the organisers and leaders - imprisonment of three to eight years, but no longer than the penalty stipulated for the respective crime.

Art. 356c. (New - SG 41/85, revoked - SG 21/00)

### **Section V.**

#### **Offences against the using of nuclear power for peaceful purposes (New - SG 79/85; corr. - SG 80/85)**

Art. 356d. (1) (Amend. - SG 10/93; amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005) An official who orders or allows the commencement or fulfilment of an activity, without an issued or before the issuance of a permit stipulated by the Law for the Using of Nuclear Power for Peaceful Purposes, or in violation of the permit, shall be punished by imprisonment of up to two years or by probation, or by a fine of one hundred to three hundred levs.

(2) If the act under the preceding para is repeated or immediate danger has been created for the life or the health of another, the penalty shall be imprisonment of up to three years.

Art. 356e. (New - sg 79/85, amend. - SG 10/93; amend. - SG 92/02, amend. " SG 103/04, in force from 01.01.2005) An official who assigns or admits to operations with nuclear materials, nuclear installations or other sources of ionising radiation a person without the necessary qualification shall be punished by imprisonment of up to one year or by probation, or by a fine of one hundred to three hundred levs.

Art. 356f. (New - SG 79/85) (1) (Amend. " SG 101/17) Whoever destroys or damages a nuclear equipment, a nuclear material, or a source of ionizing radiation, thus creates a danger for the life and the health of another person, for damage of environment or occurring substantial property damages, shall be punished by imprisonment of five to fifteen years.

(2) If as a result of the cases under the preceding para has followed:

a) (new " SG 101/17) damage for the environment or substantial property damage, the punishment shall be imprisonment from 5 to 10 years;

b) (former l. " SG 101/17) an average or severe bodily injury to one or more persons the penalty shall be imprisonment from eight to fifteen years;

c) (suppl. - SG 50/95; amend. - SG 153/98, former l. " SG 101/17) death of one or more persons, with or without the consequences under letter "a" the penalty shall be imprisonment of ten to twenty years, life imprisonment or life imprisonment without parole.

Art. 356g. (New - SG 79/85) When the act under the preceding para has by negligence caused:

a) substantial property damages;

b) an average or severe bodily injury to one or more persons, with or without the consequences under letter "a";

c) death of one or more persons, with or without the consequences under letter "a" and "b",

the penalty shall be: under letter "a" - imprisonment of up to five years; under letter "b" - imprisonment of up to eight years; under letter "c" - imprisonment of three to fifteen years.

Art. 356h. (New - SG 79/85) (1) Whoever violates the rules for the nuclear or radiation safety knowing that a bodily injury or death can occur for another shall be punished by imprisonment of up to three years.

(2) Whoever violates the rules for the nuclear or radiation safety and deliberately causes substantial property damages, bodily injuries or death to another shall be punished:

a) for causing substantial property damages - by imprisonment of five to fifteen years;

b) for causing average or severe bodily injury to one or more persons, with or without the consequences under letter "a" - by imprisonment of five to twenty years;

c) (suppl. - SG 50/95; amend. - SG 153/98) for causing death to one or more persons, with or without the consequences under letter "a" and "b" - by imprisonment of ten to twenty years, life imprisonment or life imprisonment without parole.

Art. 356i. (New - SG 79/85) When an act under the preceding Art. has by negligence caused:

a) substantial property damages;

b) an average or severe bodily injury to one or more persons, with or without the consequences under letter "a";

c) death to one or more persons, with or without the consequences under letter "a" and "b",

the penalty shall be: under letter "a" - imprisonment of up to five years; under letter "b" - imprisonment of up to eight years; under letter "c" - imprisonment of up to fifteen years.

Art. 356j. (New - SG 79/85, amend. â€“ SG 75/06, in force from 13.10.2006) In the cases under art. 356f, para 2, art. 356g, letter "b" and "c", art. 356h, para 2 and art. 356i, letter "b" and "c", the court shall deprive the culprit of rights according to art. 37, para 1, item 6 and 7.

Art. 356k. (New - SG 26/04) (1) (Suppl. â€“ SG 33/11, in force from 27.05.2011, amend. â€“ SG 101/17) Whoever, without due permit, produces, processes, changes, neutralizes, receives, acquires in any way, keeps, uses, disseminates, destroys, buries, transports, carries moves, sends, or gives to someone else nuclear material, or sources of ionizing radiation or components for them, shall be punished by imprisonment of one to six years.

(2) If, as a consequence, the cases of para 1 result in:

1. (new â€“ SG 33/11, in force from 27.05.2011, suppl. â€“ SG 101/17) danger of causing damages to the environment, or substantial property damages, the penalty shall be imprisonment from two to eight years;

2. (new â€“ SG 33/11, in force from 27.05.2011, suppl. â€“ SG 101/17) damages to the environment, or substantial property damages, the penalty shall be imprisonment from five to ten years;

3. (prev. text of item 1 â€“ SG 33/11, in force from 27.05.2011) danger for the life or health of another the penalty shall be imprisonment of two to eight years;

4. (prev. text of item 2 â€“ SG 33/11, in force from 27.05.2011) average or serious bodily injury to one or more persons, where the offender did not wish or admit that, the penalty shall be imprisonment of five to ten years;

5. (prev. text of item 3 â€“ SG 33/11, in force from 27.05.2011) death of one or more persons, when the offender did not wish and admitted that, the penalty shall be imprisonment of eight to fifteen years and a fine of ten thousand to twenty thousand levs.

(3) (New â€“ SG 33/11, in force from 27.05.2011) Where the act under para 1 has been committed by negligence, the penalty shall be imprisonment of up to three years.

Art. 356l. (New â€“ SG 101/17) (1) Whoever illegally commits an action directed against a nuclear equipment, or representing interference in the activity of a nuclear equipment, aiming at, or admitting that it may cause death, heavy or average bodily injury, substantial property damages, or damage to the environment, by exposing radioactive radiation, or throwing out radioactive substances, shall be punished by imprisonment up to 5 years.

(2) If the commitment under Para. 1 has caused:

1. substantial property harm or damage of the environment, the punishment shall be imprisonment from 5 to 15 years;

2. average or heavy bodily injury of one or more persons or without the consequences under p. 1, the punishment shall be imprisonment from 5 to 20 years;

3. death of one or more persons or without the consequences under p. 1, the punishment shall be imprisonment from 10 to 20 years, life imprisonment or life imprisonment without exchange.

(3) Where by an act under Para. 2 because of negligence the following have been caused:

1. substantial property damages or damage of the environment;

2. average or heavy bodily injury of one or more persons with, or without the consequences under p. 1;

3. death of one or more persons with or without the consequences under p. 1 and 2, the punishment shall be:

Under p. 1 â€“ imprisonment up to 5 years;

Under p. 2 â€“ imprisonment up to 8 years;

Under p. 3 â€“ imprisonment from 3 to 15 years.

Art. 356m. (New â€“ SG 101/17) (1) Whoever, by using force or threat, requests to be given nuclear material or other source of ionizing radiation, if the committed is not a heavier crime, shall be punished by imprisonment from 2 to 10 years and confiscation of up to 1/2 of the property of the guilty person.

(2) If in the cases under Para. 1, the perpetrator threatens that:

1. will use nuclear or other source of ionizing radiation for:
  - a) causing death, heavy or average bodily injury;
  - b) causing substantial property damage or damage of the environment;
2. will take a nuclear material through a theft or seizure;
3. will commit a crime under Art. 356l, in order to induce other person to commit, omit or suffer something against his will,  
the punishment shall be imprisonment from 3 to 12 year and confiscation of up to  $\frac{1}{2}$  of the property of the guilty person.

## **Chapter twelve.**

### **OFFENCES AGAINST THE DEFENSIVE CAPACITY OF THE REPUBLIC, AGAINST THE INFORMATION REPRESENTING STATE SECRET AND AGAINST THE FOREIGN CLASSIFIED INFORMATION (TITLE AMEND. - SG 26/04)**

#### **Section I.**

#### **Offences against the information representing state secret and against the foreign classified information (Title amend. - SG 26/04)**

Art. 357. (1) (Del. prev. Para. 2, amend. - SG 95/75; amend. - SG 26/04, amend. - SG 26/10) Whoever divulges information representing a state secret, entrusted or having become known by office or job, as well as those who divulges such information, being aware that this can ensue damages to the interest of the Republic of Bulgaria, unless subject to a more severe penalty, shall be punished by imprisonment of up to five years.

(2) (Prev. Para. 3 - SG 95/75, amend. - SG 26/10) If, as a result of the act, occurrence or possible occurrence of particularly severe consequences for the security of the state happens, the penalty shall be imprisonment of three to ten years.

(3) (New - SG 26/04) The penalty under para 1 and 2 shall also be imposed on those who divulge foreign classified information obtained pursuant to an international agreement party to which is the Republic of Bulgaria.

Art. 357a. (New - SG 10/93; revoked - SG 26/04)

Art. 357b. (New - SG 41/01; revoked - SG 26/04)

Art. 358. (1) (Amend. - SG 26/04, amend. " SG 103/04, in force from 01.01.2005) Whoever loses documents, publications or materials containing information representing a state secret or a foreign classified information obtained pursuant to an international agreement party to which is the Republic of Bulgaria shall be punished by imprisonment of up to two years or by probation.

(2) If particularly severe consequences have occurred or may occur from the act, the penalty shall be imprisonment of up to five years.

Art. 359. (1) (Amend. - SG 26/04, amend. â€“ SG 103/04, in force from 01.01.2005) Whoever causes the disclosure of information representing a state secret or a foreign classified information obtained pursuant to an international agreement, party to which is the Republic of Bulgaria, by negligence, shall be punished by imprisonment of up to two years or by probation.

(2) (Amend. - SG 26/04) If this has happened due to non-observance of the normative requirements for protection of the classified information, the penalty shall be imprisonment of up to three years.

Art. 360. (Amend. â€“ SG 103/04, in force from 01.01.2005) Whoever divulges information of military, economic or other nature, which are not state secret, but whose divulging is prohibited by a law, order or other administrative regulation, shall be punished by imprisonment of up to one year or by probation.

## **Section II.**

### **Offences against the military service**

Art. 361. (1) (Revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)

(2) (Amend. â€“ SG 103/04, in force from 01.01.2005, amend. â€“ SG 75/06, in force from 13.10.2006; revoked - SG 20/12, in force from 10.06.2012)

Art. 362. (Revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)

Art. 363. (Revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)

Art. 364. (1) Whoever, at the time of mobilisation, evades military service, shall be punished by imprisonment of one to five years.

(2) (Revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)

(3) (Amend. - SG 153/98; amend. â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07) If the act under para 1 is committed in war-time, the penalty shall be imprisonment of five to twenty years or life imprisonment without parole.

Art. 365. (Amend. â€“ SG 103/04, in force from 01.01.2005, revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)

Art. 366. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02; amend. - SG 20/12, in force from 10.06.2012) Whoever violates his obligations regarding the military account of Bulgarian nationals and machinery, other than

the cases stipulated by the special laws for the military account, shall be punished by imprisonment of up to two years and by a fine of one hundred to three hundred levs unless the act represents a more severe crime, and in war-time - by imprisonment of three to ten years and by a fine of one hundred to three hundred levs.

Art. 367. (1) Whoever does not fulfil the orders related to the preparation and carrying out of mobilisation, or obstructs its normal fulfilment, shall be punished by imprisonment of one to eight years, and in particularly severe cases - by imprisonment of five to fifteen years.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 10/93, amend. - SG 92/02, amend. â€“ SG 103/04, in force from 01.01.2005) If the act under the preceding para is committed by negligence, the penalty shall be probation or a fine of one hundred to three hundred levs.

Art. 368. (Amend. â€“ SG 75/06, in force from 13.10.2006; amend. â€“ SG 38/07, in force from 01.12.2007, amend. and suppl. - SG 20/12, in force from 10.06.2012) Whoever deliberately violates his obligations related to the medical certification of soldiers, reservists and reserve officers or during inspection of the equipment in connection with the military account, shall be punished by imprisonment of up to eight years, and in war-time - by imprisonment of five to fifteen years.

## **Section II "a".**

### **Offences against the peace-time alternative service (New - SG 132/98; revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)**

Art. 368a. (New - SG 132/98; revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)

Art. 368b. (New - SG 132/98; revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)

Art. 368c. (New - SG 132/98; revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)

Art. 368d. (New - SG 132/98; revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)

Art. 368e. (New - SG 132/98; revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)

Art. 368f. (New - SG 132/98; revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)

Art. 368g. (New - SG 132/98; revoked â€“ SG 38/07, in force from 01.12.2007, amend. regarding the entry into force â€“ SG 89/07)

### **Section III. Other offences**

Art. 369. (1) Whoever, during war-time, does not fulfil their obligations related to the anti-aircraft, anti-nuclear and anti-chemical defence, shall be punished by imprisonment of up to two years.

(2) If the act has caused severe consequences, the penalty shall be imprisonment of up to eight years.

Art. 370. Whoever, at the time of war, being mobilised for labour service, evades or does not fulfil his obligations related to the assigned work, shall be punished by imprisonment of up to five years.

## **Chapter thirteen. MILITARY OFFENCES**

Art. 371. (Amend. â€“ SG 75/06, in force from 13.10.2006) Liable for offences under this Chapter shall be:

a) servicemen/women under the Defence and Armed Forces of the Republic of Bulgaria Act;

b) generals, officers and persons from the sergeant and rank-and-file corps from other ministries and administrations;

c) (amend. - SG 27/09; amend. â€“ SG 53/14) civil servants at the Ministry of Interior, where committed in time of war or in a combat situation or when participating in a mission or operation outside the country or in connection with combat operations;

d) (amend. - SG 20/12, in force from 10.06.2012) the reservists on active service in the volunteer reserve as well as the persons performing wartime service;

e) the persons not mentioned in this article for complicity in crimes under this Chapter.

### **Section I. Offences against the subordination and the military honour**

Art. 372. (1) Whoever does not fulfil or refuses to fulfil an order of their superior shall be punished by imprisonment of up to two years.

(2) If the above is committed by a group of persons or in front of the formation, or in a demonstrative way, the penalty shall be imprisonment of one to five years.

(3) For offences under the preceding paras, in particularly severe cases, the penalty shall be imprisonment of three to ten years.

Art. 373. The penalty under the respective paras of the preceding Art. shall also be imposed for a failure to fulfil or refusal to fulfil lawful request of a military official in fulfilment of a duty related to the military service.

Art. 374. Whoever openly expresses discontent against an order or instruction of his superior shall be punished by imprisonment of up to one year.

Art. 375. Whoever threatens his superior or a military official, carrying out his duty related to the military service, by a bodily injury or by murder, shall be punished by imprisonment of up to three years.

Art. 376. (1) Whoever opposes his superior or a military official carrying out duties related to the military service shall be punished by imprisonment of up to five years.

(2) The same penalty shall also be imposed on those who compels such a person to violation of his obligations.

(3) If the act under the preceding paras is committed with a weapon or by a group of persons, the penalty shall be imprisonment of two to eight years, and in particularly severe cases - imprisonment of three to fifteen years.

Art. 377. (1) (Amend. - SG 28/82, in force from 01.07.1982) Whoever commits a violent act against his superior, as well as against a military official during or on occasion of fulfilment of an obligation related to the military service, shall be punished by imprisonment of one to ten years.

(2) If the act has caused severe consequences, the penalty shall be imprisonment of three to fifteen years.

Art. 378. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. â€“ SG 75/06, in force from 13.10.2006) Whoever insults or slanders a person under art. 371, letter "a", "b", "c" and "d" shall be punished by imprisonment of up to one year and by public reprimand.

(2) If the act under the preceding para is committed by a subordinate against a superior, by a superior against a subordinate, as well as by a military official or to a military official during or on occasion of fulfilment of a duty related to the military service, the penalty shall be imprisonment of up to three years and public reprimand.

(3) The penalty under para 2 shall also be imposed on those who, in the absence of his superior, says or commits something of a nature derogating his honour or dignity.

Art. 379. (Amend. - SG 28/82, in force from 01.07.1982) (1) (Amend. â€“ SG 75/06, in force from 13.10.2006) Whoever causes a light bodily injury to a person under

art. 371, letter "a", "b", "c" and "d", unless the act represents a more severe crime, shall be punished by imprisonment of up to one year.

(2) For causing light bodily injury by a superior to a subordinate, by a military official, during or on occasion of fulfilment of a duty related to the military service, or to more than one person, the penalty shall be imprisonment of up to three years.

Art. 379a. (New - SG 28/82, in force from 01.07.1982) Whoever commits a violent or indecent act, grossly violating the army order and expressing open disrespect towards the military honour and dignity of a military man, unless the act represents a more severe crime, shall be punished by imprisonment of one to six years.

## **Section II. Evading military service**

Art. 380. (Amend. - SG 28/82, in force from 01.07.1982) (1) Whoever, without permission, leaves the unit or the place of his service or does not report for duty for appointment, transfer, commissioning, from leave, medical or corrective establishment for a period of one to three days and nights shall be punished for evading military service by imprisonment of up to two years.

(2) The penalty under the preceding para shall also be imposed on those who evade service for a period less than one day and one night if the act has been repeatedly committed, or by a group or if the person has been convicted for evading military service.

Art. 381. (Amend. - SG 28/82, in force from 01.07.1982) Whoever evades military service for a period longer than three days and nights, or if the act under para 1 of the preceding Art. has been committed systematically, repeatedly or by a group, shall be punished by imprisonment of up to five years.

Art. 382. Whoever evades service with an intention of avoiding for good the fulfilment of his obligation to the military service, shall be punished by imprisonment of one to eight years.

Art. 383. (1) (Amend. - SG 28/82, in force from 01.07.1982) Whoever evades an obligation to the military service by simulating a disease, by forging a document or in any other fraudulent way, unless the act represents a more severe crime, shall be punished by imprisonment of one to five years.

(2) Whoever evades an obligation to the military service by causing health disorder shall be punished by imprisonment of one to eight years.

(3) If the act under the preceding paras represents a particularly severe case, the penalty shall be imprisonment of three to ten years.

Art. 384. (Del. - SG 28/82, in force from 01.07.1982)

Art. 385. Whoever refuses to fulfil obligations to the military service or systematically evades their fulfilment shall be punished by imprisonment of up to five years.

Art. 386. (1) (New - SG 89/86) Whoever evades military service with an intention to leave the country without permit by the respective bodies shall be punished by imprisonment of one to eight years.

(2) (Prev., para 1 - SG 89/86) Whoever evades military service by leaving the country without permit by the respective bodies or does not return to it within the fixed term, unless the act represents a more severe crime, shall be punished by imprisonment of three to ten years.

(3) (Prev., para 2, amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86) For preparation with respect to the preceding paras, the penalty shall be imprisonment of up to five years.

### **Section III. Misdemeanour in office**

Art. 387. (1) Whoever abuses power or his official status, does not fulfil his official duties or stretches his authority, thus causing harmful consequences, shall be punished by imprisonment of up to three years.

(2) (Amend. - SG 28/82, in force from 01.07.1982) If the act has caused major consequences or it has been committed systematically by a superior regarding his subordinate, the penalty shall be imprisonment of one to eight years.

(3) (New - SG 89/86; amend. " SG 75/06, in force from 13.10.2006) If the act under the preceding paras has been committed for the purpose of acquiring by the perpetrator for himself or for another property benefit or to cause damage to another, the penalty shall be imprisonment of one to five years under para 1, from three to eight years under para 2, and in particularly major cases - from three to ten years, whereas the court shall also rule revoking of right according to art. 37, para 1, item 6.

(4) (New - SG 28/82, in force from 01.07.1982; prev. Para. 3 - SG 89/86) When the harmful consequences have been caused by negligence, the penalty shall be: under para 1 - imprisonment of up to two years, under para 2 - imprisonment of up to five years.

Art. 388. (Previous text of Art. 388, amend. - SG 28/82, in force from 01.07.1982) (1) Whoever, by negligence, violates or does not fulfil his official duties, thus causing harmful consequences, unless the act represents a more severe crime, shall be punished by imprisonment of up to two years.

(2) (New - SG 28/82, in force from 01.07.1982) If the act has caused major consequences, the penalty shall be imprisonment of up to five years.

### **Section IV. Offences against the sentinel, guard, patrol, internal and state border services**

Art. 389. (1) Whoever deliberately or by negligence violates the statute rules of the sentinel, guard or patrol service or the orders issues on the grounds of these rules shall be punished by imprisonment of up to one year.

(2) If the offence has been committed at a site of particularly significant state or military importance, the penalty shall be imprisonment of up to three years.

(3) If the offence is accompanied by harmful consequences, for the prevention of which the sentinel, guard or patrol has been settled, the penalty shall be imprisonment of one to eight years.

(4) If the act under para 2 and 3 represents a particularly severe case. the penalty shall be imprisonment of three to ten years.

Art. 390. The penalty according to the respective paras of the preceding Art. shall also be imposed on a person on duty who violates the established rules for the observation or announcement in connection with the provision of the anti-aircraft, anti-nuclear, anti-chemical or sanitary defence, as well as the defence of the water area.

Art. 391. (1) A person of the round-the-clock detail who deliberately or by negligence violates the established rules of the internal service shall be punished in serious cases by imprisonment of up to six months.

(2) If the offence is accompanied by occurrence of harmful consequences for the prevention of which the detail has been settled, the penalty shall be imprisonment of up to two years.

(3) If the act represents a particularly severe case, the penalty shall be imprisonment of up to three years.

Art. 392. (1) A person of the staff of the border detail who deliberately or by negligence violates the rules of the protection of the state border shall be punished by imprisonment of up to three years.

(2) If the act has been an expression of unauthorised abandoning or not attending the guarded site or section of the state border, the penalty shall be imprisonment of one to eight years.

(3) The penalty for the offences under the preceding paras, in particularly severe cases, shall be imprisonment of three to fifteen years.

## **Section V. Other military offences**

Art. 393. (Amend. - SG 26/04) Whoever divulges, in any way whatsoever, information of military nature representing a state secret, or foreign classified information obtained pursuant to an international agreement party to which is the Republic of Bulgaria shall be punished by imprisonment of three to ten years.

Art. 394. (Del. - SG 28/82, in force from 01.07.1982)

Art. 395. Whoever abandons or loses things given to him for personal use in the course of his service shall be punished in minor cases with imprisonment for up to one year.

## **Section VI.**

### **Military offences committed in time of war or in a tactical situation or during participation in a mission or operation abroad (Title amend. â€“SG 75/06, in force from 13.10.2006)**

Art. 396. (Amend. - SG 28/82, in force from 01.07.1982; suppl. â€“ SG 75/06, in force from 13.10.2006) The penalty for military offences committed in time of war or in combat situation or during participation in a mission or operation abroad shall be:

1. under art. 387, para 3, first sentence, art. 388, para 1 and art. 391 - imprisonment of up to five years;

2. under art. 372, para 1, art. 373, in connection with art. 372, para 1, art. 374, 375, 380 and art. 387, para 3, second sentence, art. 388, para 2 - imprisonment of up to eight years;

3. under art. 381, 385, art. 386, para 2, art. 387, para 1 - imprisonment of three to ten years;

4. under art. 373, in connection with art. 372, para 2 and 3, art. 387, para 2, art. 389, para 2 and 3 and art. 390 - imprisonment of three to fifteen years.

Art. 397. (1) (Amend. - SG 153/98; suppl. â€“ SG 75/06, in force from 13.10.2006) The penalty for the offences under art. 372, para 2 and 3, art. 376, art. 377, para 2, art. 382, art. 383, para 3, committed in time of war or in a tactical situation or in participation in a mission or operation abroad, shall be imprisonment of five to twenty years or life imprisonment without parole.

(2) (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 153/98; suppl. â€“ SG 75/06, in force from 13.10.2006) The penalty for the offence under art. 101, para 2 and art. 386, para 1, committed in time of war or in a tactical situation or in participation in a mission or operation abroad, shall be imprisonment of twenty years or life imprisonment without parole.

Art. 397a. (New - SG 28/82, in force from 01.07.1982) (1) (Suppl. â€“ SG 75/06, in force from 13.10.2006) Whoever, in time of war or in a tactical situation or during participation in a mission or operation abroad, leaves without authorisation the place of his duty or does not appear for duty for no longer than one day and night shall be punished by imprisonment of up to five years.

(2) (Suppl. â€“ SG 75/06, in force from 13.10.2006) Whoever, in time of war or in a tactical situation or during participation in a mission or operation abroad, does not, by negligence, appear for duty for a time longer than one day and night, shall be punished by imprisonment of up to five years.

## **Section VII.**

### **Offences in connection with military operations**

Art. 398. (1) A superior who:

a) does not destroy or does not render unfit assigned to him combat means or does not take the due measures for their destruction or rendering unfit when they are threatened by an immediate danger of being seized by the enemy, or

b) even though he had not received orders for military operation, but being necessary to act, he has not duly called forth the issuance of such an order or he has not acted on his own initiative in urgent circumstances shall be punished by imprisonment of three to fifteen years, unless the act represents a more severe crime.

(2) If the act has been committed by negligence, the penalty shall be imprisonment of up to five years.

Art. 399. (Amend. - SG 153/98) A commander of a perishing warship who, without having fulfilled completely his official duty, leaves the ship, as well as a person of the ship crew who leaves the ship without the order of his commander shall be punished by imprisonment of ten to twenty years or by life imprisonment without parole.

Art. 400. (Amend. - SG 28/82, in force from 01.07.1982; amend. - SG 153/98) Whoever leaves without authorisation the battlefield during battle, or surrender himself prisoner due to fear or cowardice, or refuses during a fight to use his weapon, shall be punished by imprisonment of twenty years or life imprisonment without parole.

Art. 401. Whoever, while in captivity, voluntarily participates in operations of immediate military importance, unless the act represents a more severe crime, shall be punished by imprisonment of two to eight years.

Art. 402. Whoever, while in captivity, as a superior regards with cruelty another prisoner of war, shall be punished by imprisonment of two to eight years.

Art. 403. Whoever, while in captivity, commits acts to the detriment of another prisoner of war in order to procure for himself benefit or ensure condescending attitude by the enemy shall be punished by imprisonment of one to five years.

Art. 404. Whoever robs, steals, misappropriates, damages, destroys or illegally seizes possessions of a population in the region of the military operations, unless the act represents a more severe crime, shall be punished by imprisonment of three to fifteen years, and in particularly severe cases - by imprisonment of ten to fifteen years.

Art. 405. Whoever, on the battlefield, seizes possessions of a wounded, prisoner of war or killed, with the purpose of misappropriation, unless the act represents a

more severe crime, shall be punished for marauding by imprisonment of three to fifteen years, and in particularly severe cases - by imprisonment of ten to fifteen years.

### **Additional provision**

Art. 406. (1) (Amend. - SG 153/98; amend. " SG 75/06, in force from 13.10.2006) For the crimes under this Chapter, for which a penalty of imprisonment of more than ten years or life imprisonment without parole is provided for, the court shall also order deprivation of rights according to art. 37, para 1, item 6, 7, 9 and 10.

(2) (Amend. " SG 75/06, in force from 13.10.2006) For the offences under art. 386 and 393 the court can rule revoking of rights according to art. 37, para 1, item 9 and 10.

(3) (Para 3 -revoked, prev. para 4, amend. - SG 28/82, in force from 01.07.1982, revoked - SG 86/05, in force from 29.04.06)

(4) (New - SG 28/82, in force from 01.07.1982, revoked - SG 86/05, in force from 29.04.06)

## **Chapter fourteen. CRIMES AGAINST PEACE AND HUMANITY**

### **Section I. Crimes against peace**

Art. 407. Whoever carries out, in any way whatsoever, propaganda of war shall be punished by imprisonment of up to eight years.

Art. 408. Whoever, directly or indirectly, through publications, speeches, radio or in any other way aims at provoking armed attack by one country to another, shall be punished for war instigation by imprisonment of three to ten years.

Art. 409. (Amend. - SG 153/98) Whoever plans, prepares or wages aggressive war shall be punished by imprisonment of fifteen to twenty years or by life imprisonment without parole.

### **Section II. Crimes against the laws and practices of waging war**

Art. 410. Whoever, in violation of the international law for waging war:

a) commits or orders the commission against wounded, sick, shipwrecked or sanitary personnel homicide, torture or inhuman treatment, including biological experiments, or orders the infliction on such persons severe suffering, mutilation or other damages to the health;

b) commits or orders the commission of substantial destruction or misappropriation of sanitary materials or installations,

(amend. - SG 153/98) shall be punished by imprisonment of five to twenty years or by life imprisonment without parole.

Art. 411. Whoever, in violation of the rules of the international law for waging war:

a) commits or orders the commission regarding prisoners of war homicide, tortures or inhuman treatment, including biological experiments, inflicts or orders the inflicting to such persons severe suffering, mutilation or other damages to the health;

b) compels a prisoner of war to serve in the armed forces of the hostile country or

c) deprives a war prisoner of his right to be litigated in a regular court and under regular proceedings,

(amend. - SG 153/98) shall be punished by imprisonment of five to twenty years or by life imprisonment without parole.

Art. 412. Whoever, in violation of the rules of the international law for waging war:

a) commits or orders commission against the civil society of homicide, torture, inhuman treatment, including biological experiments, inflicts or orders the inflicting of severe suffering, mutilation or other serious damages to the health;

b) takes or orders the taking of hostages;

c) commits or orders the commission of illegal deportation, persecution or detention;

d) compels a civilian to serve in the armed forces of a hostile country;

e) deprives a civilian of his right to be litigated in a regular court and under the regular proceedings;

f) illegally or arbitrarily commits or orders the commission of destruction or misappropriation of possessions in large size,

(amend. - SG 153/98) shall be punished by imprisonment of five to twenty years or by life imprisonment without parole.

Art. 413. Whoever, without having right, bears the badge of the Red Cross or of the Red Crescent, or who misuses a flag or a sign of the Red Cross or of the Red Crescent, or of the colour determined for vehicles for sanitary evacuation, shall be punished by imprisonment of up to two years.

Art. 414. (1) Whoever, in violation of the rules of the international rule for waging war, destroys, damages or renders unfit cultural or historic monuments and objects, works of art, buildings and installations of cultural, scientific or other humanitarian importance shall be punished by imprisonment of one to ten years.

(2) The same penalty shall also be imposed on those who steal, misappropriate or conceals objects under the preceding para, or impose contribution or confiscation regarding such objects.

Art. 415. (1) (Suppl. - SG 62/97; amend. and suppl. - SG 92/02) Whoever, in violation of the rules of the international law for waging war, uses or orders the using of nuclear, chemical, bacteriological, biological or toxic weapons or prohibited means and ways of waging war shall be punished by imprisonment of three to ten years.

(2) (Amend. - SG 153/98) If the above causes particularly severe consequences, the penalty shall be imprisonment of ten to twenty years or life imprisonment without parole.

Art. 415a. (New - SG 92/02) Whoever undertakes military preparations for using nuclear, chemical, bacteriological, biological or toxic weapons as a method of waging war shall be punished by imprisonment of one to six years.

### **Section III. Genocide and apartheid (destruction of groups of the population) (Title suppl. - SG 95/75)**

Art. 416. (1) Whoever, with the purpose of annihilating entirely or partially a definite national, ethnic, racial or religious group:

a) causes death, severe bodily injury or permanent mental disorder to a person belonging to such a group;

b) places the group in such living conditions which lead to its complete or partial physical extermination;

c) undertakes measures aimed at the obstruction of the childbirth in such a group;

d) forcibly transfers children from one group to another,

(amend. - SG 153/98) shall be punished for genocide by imprisonment of ten to twenty years or by life imprisonment without parole.

(2) (Prev. text of Art. 147 - SG 95/75) Whoever carries out preparation for a genocide shall be punished by imprisonment of two to eight years.

(3) (Prev. text of Art. 418 - SG 95/75) Whoever apparently and directly instigates genocide shall be punished by imprisonment of one to eight years.

Art. 417. (New - SG 95/75) Whoever, with the purpose of establishing or maintaining domination or systematic oppression of one racial group of people over another racial group of people:

a) causes death and severe bodily injury to one or more persons of this group of people or

b) imposes living conditions of a nature causing complete or partial physical extermination of a racial group of people,

(Amend. - SG 153/98) shall be punished for apartheid by imprisonment of ten to twenty years or life imprisonment without parole.

Art. 418. (New - SG 95/75) Whoever, for the purposes under the preceding Art.:

a) illegally imprisons members of a racial group of people or subjects them to a compulsory labour;

b) enacts measures for obstructing the participation of a racial group of people in the political, social, economic and cultural life of the country and for premeditated creation of conditions obstructing the full development of such a group of people, in particular, by depriving its members of the basic freedoms and rights of the citizens;

c) enacts measures for division of the population by racial element by creating reservations and ghettos, by prohibition of intermarriages between members of different racial groups or by expropriation of possessed land property;

d) revokes basic rights and freedoms of organisations or persons for reasons of opposing the apartheid,

shall be punished by imprisonment of five to fifteen years.

### **Additional provisions (Title amend. â€“ SG 33/11, in force from 27.05.2011)**

Art. 419. In compliance with the differences of the preceding articles, punished shall be those who deliberately allow their subordinate to commit a crime stipulated by this Chapter.

Art. 419a. (New â€“ SG 33/11, in force from 27.05.2011, amend. - SG 67/23)

(1) Whoever publicly justifies, denies or grossly downplays a crime committed under this Chapter and the act is committed in a way that may create danger that violence or hatred be used against individuals or groups of people united by race, skin colour, religion, origin, national or ethnic origin, shall be punished by imprisonment from one to five years.

(2) The punishment under Para. 1 shall also apply when the crime under this Chapter was committed during and in connection with the National Socialist regime.

(3) Whoever incites someone to commit a crime under Para. 1 and 2 shall be punished by imprisonment of up to one year.

### **Transitional provisions**

Art. 420. This Code shall enter into force on May 1, 1968, and it revokes:

1. the Penal Code of 1951;

2. the Law for protection of the peace of 1951;

3. The edict for strengthening the fight against the persons evading socially useful labour and leading anti-social parasitic way of living.

Art. 421. The persons sentenced to deprivation of right to be electorate or elected or of the right to a particular pension (Art. 28, item 1 and 4 of the Penal Code of 1951) shall be exempt from this penalty on the day of enactment of this Code.

Art. 422. The death penalty for persons sentenced for offences for which such a penalty is not stipulated by this Code, shall be replaced by imprisonment for a period of twenty years. This provision shall enter into force on the day of promulgation of this code.

Art. 423. The measures imposed until the enactment of this code according to the Edict for strengthening the fight against the persons evading socially useful labour and leading anti-social parasitic way of living shall be fulfilled by the order established by it, as the maximal term of this measures under art. 1, para 1, letter "b" shall be reduced to three years.

Art. 424. (Amend. - SG 92/69; amend. - SG 95/75; amend. - SG 3/77; amend. - SG 89/79; amend. - SG 28/82, in force from 01.07.1982; amend. - SG 89/86; amend. "SG 1/91) (1) (Amend. - SG 10/93; suppl. - SG 62/97; SG 51/00; amend. - SG 75/06, in force from 13.10.2006, amend. "SG 33/11, in force from 27.05.2011) Applied for the acts under art. 135, para 5, art. 218b, art. 225b, para 3, art. 228, para 3, art. 231, para 2, art. 232, para 3, art. 242, para 6, 352a, para 5 and art. 353, para 4 shall be the provisions of the Administrative violations and penalties Act.

(2) (Amend. - SG 3/77; amend. - SG 89/79; amend. - SG 28/82, in force from 01.07.1982; suppl. - SG 62/97) The penal decrees shall be issued:

a) (amend. - SG 10/93) under art. 135, para 5 - by the Minister of Health;

b) (amend. - SG 89/86, amend. - SG 10/93, suppl. - SG 62/97; amend. "SG 75/06, in force from 13.10.2006; amend. "SG 33/11, in force from 27.05.2011; amend. - SG 14/2015) under art. 225b, para 3 - by the Minister of Economy, Energy and Tourism; under art. 228, para 3 and art. 231, para 2 - by the Minister of Economy or by the Chairman of the State Agency of Metrology and Technical Surveillance;

c) (amend. - SG 89/86, amend. - SG 10/93, amend. "SG 33/11, in force from 27.05.2011; amend. - SG 14/2015) under art. 232, para 3 - by the Minister of Economy by the Minister of Finance or by the Chairman of the State Agency of Metrology and Technical Surveillance;

d) (amend. - SG 89/86, amend. - SG 10/93, amend. - SG 51/00; amend. "SG 75/06, in force from 13.10.2006) under art. 242, para 6 - by the Minister of Finance;

e) (amend. - SG 10/93, amend. "SG 93/09, in force from 25.12.2009; amend. "SG 33/11, in force from 27.05.2011) under art. 352a, para 5 and art. 353, para 4 - by the Minister of Environment and Waters, and if the offence is related to the pollution of the sea waters - by the Minister of Environment or by the Minister of Transport, Information Technology and Communications.

(3) (Amend. - SG 89/86) In the cases of the preceding para the penal decrees can also be issued by officials appointed by the heads of the respective administrative bodies.

(4) (New - SG 28/82, in force from 01.07.1982, amend. - SG 89/86, revoked "SG 33/11, in force from 27.05.2011)

(5) (New - SG 28/82, in force from 01.07.1982, amend. - SG 89/86, amend. - SG 10/93) The administrative sanction fine according to art. 218b shall be imposed by a penal decree of the mayor on the grounds of materials sent to him by the prosecutor, or an act of the administration of the enterprise, establishment or of the control bodies. If the

offence has been established by the bodies of the Ministry of Interior the penal decree shall be issued by the Minister of Interior or by a person authorised by him.

(6) (New - SG 28/82, in force from 01.07.1982, amend. - SG 86/05, in force from 29.04.06) Regarding the militaries, as well as the officers and sergeants, as well as persons from the rankers staff of other institutions, the administrative sanctions stipulated by this code shall be imposed by the respective commander and superiors, who have the right to impose disciplinary penalties. In this case the appeals against the penal decrees shall be heard by a military tribunal/court martial.

(7) (New - SG 28/82, in force from 01.07.1982, revoked " SG 86/05, in force from 29.04.06)

(8) (New - SG 89/86, amend. - SG 10/93; amend. - SG 92/02) In minor cases of offences according to art. 225b, para 3, established when committed, the authorised control bodies can impose on the spot a fine of one hundred to three hundred levs by the order of art. 39, para 2 of the Administrative violations and penalties Act.

Art. 425. (New - SG 10/93; revoked - SG 51/99)

Art. 426. (New - SG 50/95) The persons who, pursuant to the previous art. 343b, second sentence, have been deprived of the right to drive motor vehicles for good can restore their right not earlier than three years from serving the term of imprisonment and upon passing an examination for acquiring right to drive a motor vehicle.

## **AMENDMENTS IN OTHER LAWS**

§ 1. In the Law for the Bulgarian citizenship:

In Art. 26 the words "and in particularly important cases - by imprisonment" are deleted.

§ 2. In the Law for the forests:

1. In art. 42, para 1, after the words "cut or fallen" are added the words "when the size of the damage is under one hundred levs".

Para 2 of the same Art. is revoked.

2. In art. 43 the words "para 1" and the words at the end "and in the cases of para 2 of the same Art. - by imprisonment of up to three years or by probation" are deleted.

3. In art. 45, para 1, after the words "forest nursery" are added the words "if the size of the damage is under one hundred levs".

4. In art. 52, para 2 the words "by imprisonment of up to three years or by probation" are replaced by the words "by a fine of up to five hundred levs".

§ 3. In the Law for protection of the plants against diseases and pests:

In art. 10, para 1, after the words "quarantine of the plants" are added the words "inasmuch as the act does not represent a crime", and the words "by imprisonment of up to five years, and in minor cases" are deleted.

§ 4. In the Law for the customs:

1. In art. 51, para 1, after the words "by the established order" are added the words " inasmuch as the act does not represent a crime".

2. Para 2 of art. 51 is amended as follows:

"The commodities subject of contraband, as well as the vehicles and carriers having served mainly for their transportation or carrying through the border, regardless of whose property they are, shall be seized in favour of the state, and if they are missing or alienated their equivalence shall be adjudicated according to the respective retail prices."

3. In art. 52, 53, 54 and 59 the words "shall be confiscated" are replaced by the words "shall be seized in favour of the state", and in art. 61 the words "to confiscation" are replaced by the words "to seizing in favour of the state".

4. Art. 55 and 57 are revoked.

§ 5. In the Law for the transactions with currency valuables and currency control:

1. In art. 37 and 38, para 2 the words "according to art. 240" are replaced by the words "according to art. 250".

"For the acts under art. 250, para 3 of the Penal Code shall apply the provisions of Chapter Twenty Eight of the Penal Procedure Code.

The penal decrees shall be issued by the Minister of Finance or by officials authorised by him.

If the value of the subject of the act is up to twenty levs imposed shall be a double amount fine by the body which has established the offence or by another duly authorised person. The imposing of the fine shall be subject to appeal before the Ministry of Finance."

§ 6. In the Law for the rents:

In art. 37 the words "by imprisonment of up to one year or" are deleted.

§ 7. In the Law for protection of the air, waters and soil against pollution:  
articles 18 and 19 are revoked.

§ 8. In the Law for planned building up of populated areas:

In art. 67, para 1 the words "by imprisonment of up to one year" are replaced by the words "by a fine of up to one thousand levs".

§ 9. In the Law for the hunting:

"Whoever kills or catches without due permit big game, such as deer, hind, wild goat, stag of a fallow deer, roe, bear, boar shall be punished according to art. 237, para 1 of the Penal Code.

Whoever, without holding a hunting licence, kills or catches hare, marten, beech marten, wood-grouse, pheasant, partridge or quail, as well as those who, though holding a hunting licence, kills or catches such game in a prohibited period, in prohibited

area or by prohibited devices shall be punished according to art. 237, para 2 of the Penal Code.

Whoever, without holding a hunting licence, kills or catches wild goose, wild duck, bustard, hazel-hen, squirrel, pigeon, turtle-dove and quail, as well as all the other kinds of useful game subject of hunting, shall be punished by a fine of up to fifty levs.

Punished by the penalty under the preceding para shall also be those who, though holding a hunting licence, kill or catch such game during prohibited period, in prohibited place or by prohibited devices.

The killed or caught game shall be seized in favour of the state, and if it is missing or alienated, its equivalence shall be paid".

§ 10. In the Law for the fishing:

1. Para 2 of art. 23 is revoked.
2. articles 24 and 35 are revoked.

§ 11. In the Law for control over the explosives, weapons and munitions:

In art. 14 the words "imprisonment" are deleted.

The fulfilment of the present Code is assigned to the Minister of Justice.

### **Transitional and concluding provisions to the Law for amendment and supplement of the Penal Code (SG 28/82)**

§ 151. For the offences which, according to this law, are prosecuted upon a complaint of the aggrieved, the terms under art. 84, para 1 and 2 shall start from the enactment of the law. The pending cases shall be concluded by the previous order.

### **LAW for amendment and supplement of the Penal Code (SG 10/93)**

§ 43. Everywhere in the text of the Penal Code the words "People's Republic of Bulgaria" are replaced by "Republic of Bulgaria", the words "the People's Republic" are replaced by "the republic", the words "the People's Militia" are replaced by "the police", the words "the socialist economy" and "the people's economy" are replaced by "the economy", the words "the rules of the socialist community" are replaced by "the good morals" and the words "the State Council" are replaced by "the President".

### **Transitional and concluding provisions to the Law for amendment and supplement of the Penal Code (SG 62/97)**

§ 75. The provisions of art. 255 and 257 shall enter into force three months after the promulgation of this Law in the State Gazette. If, within this period, the not announced and unpaid tax liabilities, together with the due interest are deposited to the state budget preliminary proceedings shall not be instituted.

**Transitional and concluding provisions  
to the Law for amendment and supplement of the Penal Code (SG 21/00)**

§ 26. The pending proceedings by the date of enactment of the law for offences under art. 146 - 148a shall be concluded by the previous order if, within three months from the enactment of the Law the aggrieved so requests.

**Transitional provisions  
(SG 92/02)**

§ 89. (amend., SG 26/04 " in force from January 1, 2004) The amendments of art. 23, para 2, art. 37, para 1, art. 42a, art. 48, art. 49, para 1, art. 50, para 2, art. 55, para 1, item 2, art. 59, para 1 regarding the penalty of probation, art. 62, item 1a, art. 63, para 1, art. 66, art. 67, art. 68, para 3, art. 70, para 4, 5 and 6, art. 72, art. 86, para 1, item 2, art. 87, para 3, art. 202, para 3, art. 203, para 2 shall enter into force on January 1, 2005.

§ 90. The recidivists convicted by enforced sentence under the conditions of art. 26 (in force from August 8, 1997) before the enactment of this law, shall incur penalty for every conviction, but no more than the size for the most severe of the crimes for which they have been convicted, stipulated by the law.

§ 91. Pending proceedings by the day of enactment of the law for crimes under art. 172, para 2, art. 182, para 2 and art. 183 shall be concluded by the previous order if, within three months from the enactment of the law, the aggrieved requests this.

**Transitional and concluding provisions  
TO THE LAW OF THE CREDIT INSTITUTIONS**

(PROM. " SG 59/06)

§ 36. The law shall enter into force from the date of entry into force of the Treaty on the Accession of the Republic of Bulgaria to the European Union, except for § 35, item 2, which shall enter into force from the date of the promulgation of the law in State Gazette.

**Concluding provisions  
TO THE LAW FOR AMENDMENT AND SUPPLEMENT OF THE PENAL  
CODE**

(PROM. " SG 75/06, IN FORCE FROM 13.10.2006)

§ 73. Everywhere in the Special part the words "under art. 37, item" and "under art. 37, items" shall be respectively replaced by "under art. 37, para1, item" and "under art. 37, para 1, items", the words "training, control or practice muster" shall be replaced by "training-mobilisation event"

.....

§ 77. This law shall enter into force one month after its promulgation in State Gazette.

**Concluding provisions  
TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE  
PENAL CODE**

(PROM. - SG 38/07; AMEND. - SG 89/07)

§ 23. (amend. - SG 89/07) Paragraphs 16 and 21 shall enter into force from 1 December 2007.

**Transitional and concluding provisions  
TO THE LAW OF THE NATIONAL ARCHIVE FUND**

(PROM. - 57/07, IN FORCE FROM 13.07.2007)

§ 23. The Law shall enter into force from the day of its promulgation in the State Gazette.

**Transitional and concluding provisions  
TO THE LAW FOR THE JUDICIAL SYSTEM**

(PROM. - 64/07)

§ 20. In the Penal Code (prom. and corr. SG 36/68, corr. SG 29/68; amend. SG 92/69; SG 26 and 27/73; SG 89/74; SG 95/75. SG 3/77; SG 54/78; SG 89/79; SG 28/82; corr. SG 31/82; amend. SG 44/84; SG 41 and 79/85; corr. SG 80/85; amend. SG 89/86; corr. SG 90/86; amend. SG 37, 91 and 99/89; SG 10, 31 and 81/90; SG 1 and 86/91; corr. SG 90/91; amend. SG 105/91; SG 54/92; SG 10/93; SG 50/95; SG 97/95 and Decision No. 19 of the Constitutional Court of 1997; amend. SG 83, 85, 132, 133 and 153/98; SG 7, 51 and 81/99; SG 21 and 51/00; SG 98/00 and Decision No. 14 of the Constitutional Court of 2000; amend. SG 41 and 101/01; SG 45 and 92/02; SG 26 and 103/04; SG 24, 43, 76, 86 and 88/05; SG 59,75 and 102/06; SG 38 and

57/07) everywhere the words "deputy bailiff" shall be replaced with the words "deputy private bailiff".

**Transitional and concluding provisions  
TO THE LAW OF AMENDMENT AND SUPPLEMENTATION OF THE  
TAX-INSURANCE PROCEDURE CODE**

(PROM. â€“ SG 12/09, IN FORCE FROM 01.05.2009)

§ 68. This Law shall enter into force from 1 May 2009 except § 65, 66 and 67, which shall enter into force from the date of promulgation of the Law in the State Gazette.

**Transitional and concluding provisions  
TO THE LAW OF AMENDMENT AND SUPPLEMENTATION OF THE  
TAX-INSURANCE PROCEDURE CODE**

(PROM. â€“ SG 12/09, IN FORCE FROM 01.05.2009; SUPPL. - SG 32/09)

§ 68. (suppl. - SG 32/09) This Law shall enter into force from 1 May 2009 except § 65, 66 and 67, which shall enter into force from the date of promulgation of the Law in the State Gazette and § 2 - 10, § 12, Items 1 and 2 - regarding Para 10 and 11, Item 8, Letter "a", Items 9 and 12 and § 53 - 64, which shall enter into force from 1 January 2010.

**Transitional and concluding provisions  
TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE  
PENAL CODE**

(PROM. - SG 27/09)

§ 70. Paragraphs 36, 50, 51, 52, 53 and § 64, Item 1 shall enter into force from 10 April 2009, and § 64, Items 2, 3, 4, 7 and 8 shall enter into force from 1 June 2009.

**Transitional and concluding provisions  
TO THE FAMILY CODE**

(PROM. - SG 47/09, IN FORCE FROM 01.10.2009)

§ 18. This law shall enter into force from 1 October 2009.

**Transitional and concluding provisions**  
**TO LAW ON AMENDMENT AND SUPPLEMENTATION OF THE LAW**  
**OF THE FORESTS**

(PROM. - SG 80/09)

§ 60. In the Penal Code (prom - SG 26/68) the words "State Agency of Forests" shall everywhere be replaced by "Executive Agency of Forests ".

**Transitional and concluding provisions**  
**TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE**  
**LAW FOR THE MINISTRY OF INTERIOR**

(PROM. â€“ SG 93/09, IN FORCE FROM 25.12.2009)

§ 100. This Law shall enter into force in one month after promulgation in the State Gazette, except for § 1, 2, 21, 36, 39, 41, 44, 45, 49, 50, 51, 53, 55, 56, 57, 59, 62, 63, 64, 65, 70 and 91, which shall enter into force from the day of its promulgation.

**Transitional and concluding provisions**  
**TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE**  
**LAW ON PROTECTION AGAINST THE DOMESTIC VIOLENCE**

(PROM. â€“ SG 102/09, IN FORCE FROM 22.12.2009)

§ 27. This Law shall enter into force from the day of its promulgation in the State Gazette, except for § 7, Item 2 regarding Art. 6, Para 5, 6, 7 and 8, which shall enter into force from 1 January 2010.

**Transitional and concluding provisions**  
**TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE**  
**PENAL PROCEDURE CODE**

(PROM. - SG 32/10, IN FORCE FROM 28.05.2010)

§ 72. This Law shall enter into force within one month from its promulgation in the State Gazette, except for the provision of § 5, which shall enter into force one year after the promulgation of the law in the State Gazette.

**Additional provisions**  
**TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE PENAL**  
**CODE**

(PROM. - SG 33 ĐžĐč 2011, IN FORCE FROM 27.05.2011)

§ 38. The present Law introduces the requirements of:

1. DIRECTIVE 2009/123/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 October 2009 amending Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements;

2. Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law;

3. COUNCIL FRAMEWORK DECISION 2008/675/JHA of 24 July 2008 on taking account of convictions in the Member States of the European Union in the course of new criminal proceedings

4. COUNCIL FRAMEWORK DECISION 2008/919/JHA of 28 November 2008 amending Framework Decision 2002/475/JHA on combating terrorism;

5. COUNCIL FRAMEWORK DECISION 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law.

**Transitional and concluding provisions  
TO THE LAW ON AMENDMENT AND SUPPLEMENTATION OF THE  
PENAL CODE**

(PROM. - SG 33 ĐžĐč 2011, IN FORCE FROM 27.05.2011)

§ 45. Within one month from entry into force of this Law the Council of Ministers shall submit at the National Assembly draft laws on amendment and supplementation of the statutory instruments whose provisions ought to be brought in compliance with it.

§ 46. The Law shall enter into force a month after its promulgation in the State Gazette, except for § 21 and § 22, which shall enter into force three months after its promulgation in the State Gazette.

**Additional provisions  
TO THE ACT SUPPLEMENTING THE PENAL CODE**

(PROM. - SG 19/12)

§ 2. This Act introduces the requirements of DIRECTIVE 2009/52/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country.

**Transitional and concluding provisions  
TO THE ARMED FORCES RESERVE OF THE REPUBLIC OF  
BULGARIA ACT**

(PROM. - SG 20/12, IN FORCE FROM 10.06.2012)

§ 12. This Act shall enter into force from the date of its promulgation in the State Gazette, except for the provisions of Art. 56, 57, 58 and 59, which shall enter into force from September 1, 2013.

**Transitional and concluding provisions  
TO THE ACT AMENDING AND SUPPLEMENTING THE PENAL CODE**

(PROM. - SG 60/12, IN FORCE FROM 08.09.2012)

§ 3. This Act shall enter into force from the date of its promulgation in the State Gazette.

**Additional provisions  
TO THE ACT AMENDING AND SUPPLEMENTING THE PENAL CODE**

(PROM. â€“ SG 84/13)

§ 6. This Act shall introduce the requirements of Directive 2011/36/EU of the European Parliament and the Council on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (ÐžÐ’ , L 101/1 of 15 April 2011).

**Transitional and concluding provisions  
TO THE ELECTION CODE**

(PROM. â€“ SG 19/14, IN FORCE FROM 05.03.2014)

§ 30. The Code shall enter into force from the date of its promulgation in the State Gazette.

**Transitional and concluding provisions  
TO THE ACT ON THE BUDGET OF THE STATE PUBLIC INSURANCE  
FOR THE YEAR 2015**

(PROM. - SG 107/14, IN FORCE FROM 01.01.2015)

§ 10. This Act shall enter into force as of January 1, 2015, except for § 3, item 5, letter "b", item 18 and 31, which shall enter into force from January 1, 2016.

**Concluding provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE ELECTRONIC**  
**COMMUNICATIONS ACT**

(PROM. SG 24/15, IN FORCE FROM 31.03.2015)

§ 9. This Act shall enter into force from the day of promulgation in the State Gazette.

**Concluding provisions**  
**TO THE EUROPEAN PROTECTION ORDER ACT**

(PROM. - SG 41/15, IN FORCE FROM 06.07.2015)

§ 6. This Act shall enter into force one month after its promulgation in the State Gazette.

**Additional provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE PENAL CODE**

(PROM. - SG 74/15)

§ 32. The present act implements the requirements of Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ, L 335/1 of 17.12.2011; corr. OJ, L 18/7 of 21.01.2012).

**Transitional and concluding provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE PENAL CODE**

(PROM. - SG 74/15, AMEND. " SG 83/16)

§ 33. Any pending proceedings for crimes under Art. 167, Para 2, Art. 168a, Art. 343, Para 3 and 4, and Art. 344, Para 1, shall be finalised under the hitherto effective order.

..

§ 35. (declared unconstitutional by a Decision of the Constitutional Court â,,– 12 of 2016 - SG 83 of 2016) Paragraph 2 shall apply also to crimes, of which the periods of prescription have already expired.

§ 36. (declared unconstitutional by a Decision of the Constitutional Court â,,– 12 of 2016 - SG 83 of 2016) The criminal proceedings on crimes under § 2, which have

been terminated due to expired period of prescription, shall be resumed with the entry into force of the present act.

**Transitional and concluding provisions  
TO THE STATE INTELLIGENCE AGENCY ACT**

(PROM. - SG 79/15, IN FORCE FROM 01.11.2015)

§ 31. This Act shall enter into force from 1<sup>st</sup> of November 2015, with the exception of § 17 it. 4 according to Art. 69, which shall enter into force from 1<sup>st</sup> of January 2016

**Transitional and concluding provisions  
TO THE INSURANCE CODE**

(PROM. - SG 102/15, IN FORCE FROM 01.01.2016)

§ 50. (1) This code shall enter into force from 1 January 2016, except Art. 574, Para 8, which shall enter into force from 1 July 2016.

(2) Before 1 July 2016 the exchange of information under Art. 574, Para 3 - 7 shall take place on weekly basis, where on each first day of the week:

1. The Ministry of Interior and the Executive Directorate "Automobile Administration" shall provide to the Information Centre the current data under Art/ 574, Para 3 and 4;

2. The Information Centre shall provide to the Ministry of Interior and the Executive Directorate "Automobile Administration" the current data under Art. 574, Para 5 - 7.

**Transitional and concluding provisions  
TO THE ACT AMENDING AND SUPPLEMENTING THE EXECUTION  
OF PENALTIES AND DETENTION ACT**

(PROM. - SG 13/17, IN FORCE FROM 07.02.2017)

§ 53. The Act shall enter into force from the day of its promulgation in the State Gazette, except for:

1. paragraphs 3, 4, 5 and § 6 relating to Art. 35a and Art. 36, para. 1 which shall enter into force on July 1, 2017;

2. paragraph 45 relating to Part Six, which shall enter into force on May 1, 2017.

**Transitional and concluding provisions  
TO THE ACT, AMENDING AND SUPPLEMENTING THE PENAL CODE**

(PUBL. " SG, 101/17)

§ 33. This act shall introduce the provisions of:

1. Directive 2013/40/EU of the European Parliament and of the Council of 12 August 2013 on attacks against information systems and replacing Council Framework Decision 2005/222/JHA (OJ, L 218/8 of 14 August 2013).

2. Directive 2014/62/EU of the European Parliament and of the Council of 15 May 2014 on the protection of the euro and other currencies against counterfeiting by criminal law, and replacing Council Framework Decision 2000/383/JHA (OJ, L 151/1 of 21 May 2014).

3. Directive 2014/57/EU of the European Parliament and of the Council of 16 April 2014 on criminal sanctions for market abuse (market abuse directive) (OJ, L 173/179 of 12 June 2014).

### **Additional provisions**

#### **TO THE ACT AMENDING AND SUPPLEMENTING THE PENAL CODE**

(PROM. № SG 7/19)

§ 5. This Act introduces the requirements of Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union (OJ, L 127/39 of 29 April 2014, correction (OJ, L 138/114 of 13 May 2014)).

§ 6. The National Statistical Institute shall collect from the competent authorities and submit to the European Commission the statistical data under Art. 11 of Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union.

### **Transitional and concluding provisions**

#### **TO THE ACT AMENDING AND SUPPLEMENTING THE PENAL CODE**

(PROM. - SG 16/19)

§ 16. (1) Any proceedings under Art. 177 and Art. 190 which have not been completed before the enactment of this Act shall be finished in the current order.

(2) Any court proceedings under Art. 182, Para. 2, which have not been concluded before the entry into force of this Act shall be completed according to the previous order.

### **Additional provisions**

#### **TO THE ACT SUPPLEMENTING THE PENAL-PROCEDURE CODE**

(PROM. № 83/19)

§ 3. Art. 201, Para. 2 of the Penal Code and Art. 83a, Para. 1 of the Administrative Violations and Penalties Act introduce the requirements of Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight

against fraud to the Union's financial interests by means of criminal law (OB, L 198 / 29 of July 28, 2017).

**Concluding provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE PAYMENT  
SERVICES AND PAYMENT SYSTEMS ACT**

(PROM. â€“ SG 13/20, IN FORCE FROM 14.02.2020)

§ 44. This Act shall enter into force on the day of its promulgation in the State Gazette, with the exception of § 31 which shall enter into force within 6 months after its promulgation.

**Transitional and concluding provisions**  
**TO THE STATE OF EMERGENCY MEASURES AND ACTIONS ACT,  
DECLARED BY A DECISION OF THE NATIONAL ASSEMBLY OF 13  
MARCH 2020 AND TO OVERCOME THE CONSEQUENCES**

(PROM. - SG 28/20, IN FORCE FROM 13.03.2020, AMEND. AND SUPPL.  
SG 44/20, IN FORCE FROM 14.05.2020)

§ 52. (amend. and suppl. SG 44/20, in force from 14.05.2020) The Act shall enter into force on March 13, 2020, with the exception of Art. 5, § 3, § 12, § 25 - 31, § 41, § 49 and § 51, which shall enter into force on the day of promulgation of the Act in the State Gazette.

**Transitional and concluding provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE HEALTH ACT**

(PROM. - SG 44/20, in force from 14.05.2020)

§ 44. The Act shall enter into force on 14 May 2020, with the exception of § 33, 34 and 35, which shall enter into force on the day of promulgation of the Act in the State Gazette.

**Transitional and concluding provisions**  
**TO THE ACT ON THE BUDGET OF THE STATE PUBLIC INSURANCE  
FOR 2021**

(PROM. - SG 103/20, IN FORCE FROM 01.01.2021)

§ 14. This Act shall enter into force on January 1, 2021, with the exception of:  
1. paragraph 8, item 1, letter "a", which shall enter into force on January 1, 2023;

2. paragraph 8, items 6, 8, 9 and item 17, letter "b", which shall enter into force on September 1, 2021.

**Additional provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE PENAL-  
PROCEDURE CODE**

(PROM. - SG 103/20)

§ 11. This Act and Art. 253, Para. 3, item 5 of the Penal Code introduce the requirements of Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by criminal law (OJ, L 284/22 of 12 November 2018).

**Transitional and concluding provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE PENAL-  
PROCEDURE CODE**

(PROM. - SG 103/20)

§ 12. The European Prosecutor and the European Delegated Prosecutors may intervene in the pending criminal proceedings for crimes within the competence of the European Public Prosecutor's Office committed after 20 November 2017, instituted by the authorities of the Republic of Bulgaria, in accordance with Regulation (EU) 2017/1939.

**Transitional and concluding provisions**  
**TO THE BULGARIAN SIGN LANGUAGE ACT**

(PROM. - SG 9/21, IN FORCE FROM 06.02.2021)

§ 9. The act shall enter into force three days from its promulgation in the State Gazette, with the exception of Art. 10, Para. 2-5, which shall enter into force on September 15th, 2026.

**Transitional and concluding provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE PENAL CODE**

(PROM. - SG 53/22)

§ 14. Proceedings pending before the entry into force of this act under Art. 155b, Para. 1, Art. 155c, Art. 159, Para. 3, Art. 172a, Para. 1 and 2, Art. 172b, Para. 1, Art. 319a, Para. 1, 2, 3 and 4, Art. 319b, Para. 1, 2, 3 and 4, Art. 319c, Para. 1 and 2, Art. 319d, Para. 1, 2 and 3, Art. 319e, Para. 1, 2 and 3 and Art. 319f shall be completed according to the previous order.

**Transitional and concluding provisions**  
**TO THE ACT AMENDING AND SUPPLEMENTING THE PENAL CODE**

(PROM. - SG 67/23)

§ 41. Pending proceedings for crimes under Art. 279, Para. 1, Art. 281, Para. 1 and Art. 325a, Para. 1 and 2 shall be completed in the previous order.

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**Relevant Acts from the European Legislation**

DIRECTIVE 2011/36/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/Justice and Home Affairs - JHA

DIRECTIVE 2009/123/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 October 2009 amending Directive 2005/35/EC on ship source pollution and imposing penalties for infringements - (text with EEA relevance)

DIRECTIVE 2009/52/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 June 2009 on providing minimum standards on sanctions and measures against employers of illegally residing third-country nationals

DIRECTIVE 2008/99/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 19 November 2008 on the protection of the environment through criminal law - (text with EEA relevance)

FRAMEWORK DECISION 2008/919/JHA OF THE COUNCIL of 28 November 2008 on amending Framework Decision 2002/475/JHA on combating terrorism

FRAMEWORK DECISION 2008/913/JHA OF THE COUNCIL of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law

FRAMEWORK DECISION 2008/675/JHA OF THE COUNCIL of 24 July 2008 on taking into account convictions enacted in the Member - States of the European Union in the course of new criminal proceedings