

# GENERAL STANDARDS FOR TRANSPARENCY OF INFLUENCE OVER PUBLIC POLICIES

STANDARD		LEGAL FRAMEWORK	APPLICATION	DIRECTION FOR AMENDMENT
TRANSPARENCY	1. Definition of lobbyist and lobbying activity	No legislation exists where the concepts of “lobbyist” and “lobbying activity” are defined	—	Establishment of a legal definition of “lobbyist” in line with standard 1
	2. Mandatory register of lobbyists	No common regulation	—	Establishment of a Register of Lobbyists in line with standard 2
		Partially <b>Art. 174 of the Rules of Procedure of the National Assembly:</b> register of part-time collaborators of MPs and of persons who participate in the preparation, discussion and adoption of legal acts under civil contract	Partially The Register only contains the name, education and professional competence of the persons. No information or mechanism for disclosure of interests	
	3. Timely registration and reporting	None	—	Legal obligation for initial and periodic registration of lobbyists in line with standard 3
	4. Scope of information disclosed	None	—	Legal regulation of the scope of information disclosed in line with standard 4
5. Accessibility, publicity and comparability of the information in the register	None	—	Legal regulation of free online access to information through a single website in line with standard 5	

6. Minimal administrative burden	<b>None</b>	<b>None</b>	Legal regulation of the standard along with the Act Restricting Administrative Regulation and Administrative Control over Economic Activity
7. Proactive publication	<b>Partially</b> Art. 26 of the Law on Normative Acts	<b>Partially</b> Only finalized strategies, concepts and draft laws are being published, along with accompanying reports. No preliminary impact assessment or resumes of meetings held are being published.	Amendment to the Law on Normative Acts for establishment of standard 7
8. Decision-making footprint	<b>None</b>	<b>None</b>	Legal regulation of the instrument of “legislative footprint” in line with standard 8
9. Clear, free and comprehensive information	<b>Partially</b> Art. 15 of the Law on Access to Public Information	<b>Partially</b>	Incorporation of standard 9 in the legislation in force
10. Codes of conduct of public officials	<b>Parliament – Partially:</b> Section II Chapter XII of the Rules of Procedure of the National Assembly	<b>Partially</b> Lack of practice of implementation of the ethical rules by the Permanent parliamentary commission	<ul style="list-style-type: none"> <li>a) Update of the existing codes in line with standard 10</li> <li>b) Obligation for keeping a comprehensive account of the activity, including contacts with lobbyists;</li> <li>c) Requirement for abstention of contacts with unregistered lobbyists and declaring each breach of lobbying rules before the superior and other relevant bodies.</li> </ul>
	<b>Government – Partially</b> Decision of the Ministerial Council 984 of 23.12.2005	<b>None</b>	
	<b>Administration – Partially</b> Code of conduct of public servants in the administration	<b>Partially</b> Lack of standardized practice	

INTEGRITY	11. Post-employment restrictions	Law on Prevention and Ascertainment of Conflict of interest Art. 21 and 22 1 year of “cooling off”	Lack of practice of the Commission for Prevention and Ascertainment of Conflict of Interest for issuing opinions on the post-employment restrictions	Amendment of the existing legislation in line with standard 11 by increasing the cooling off period to 2 years
	12. Pre-employment restrictions	Partially – incompatibilities Chapter II of the Law on Prevention and Ascertainment of Conflict of interest, Art. 19 (6) of the Administration Act Art. 18 (1) of the Judicial System Act	Partially Lack of mechanisms for preliminary integrity check	Bringing the draft Law on Prevention of Corruption among High-level public Officials in line with standard 12
	13. Statutory code of conduct for lobbyists	None	—	Legal regulation in line with standard 13
	14. Behavioral standards	None	—	Legal regulation in line with standard 14
	15. Self-regulation of lobbying	Partially – Ethics Code of the Bulgarian Chamber of Commerce and Industry	—	Stimulating self-regulation with good practices of including in consultative processes organizations with developed systems for CSR in line with standard 15
PARTICIPATION	16. Right of participation	Art. 18 of the Law on Normative Acts	Lack of objective information regarding the effect of the implementation of this regulation	Establishment of a system for analysis of the impact of the application of the right of participation
	17. Public consultative process	Partially Art. 40-42 of the Rules of Procedure of the National Assembly Art. 26 (2) of the Law on Normative Acts	Lack of objective information for public input into the assessment of public policies	Regulation of the procedure for public participation in the assessment of policies – Law for Amendment and Supplement to the Law on Normative Acts

OV EDC	<b>18. Limited and clear exceptions</b>	Rules of the Public Council at the Commission for Interaction with Non-governmental organizations and Citizen Complaints – 43 <sup>rd</sup> National Assembly	Selection and functioning of the Public Council at the Commission for Interaction with Non-governmental organizations and Citizen Complaints – 43 <sup>rd</sup> National Assembly	Introduction as a horizontal principle in the practice of the administration of the central and territorial executive
	<b>19. Equal opportunity</b>			
	<b>20. Timely and effective contribution</b>	<b>Partially</b> Art. 26 (2) of the Law on Normative Acts	The minimally required timeframe of 14 days is applied	Increasing the minimally required timeframe to 30 days – Law for Amendment and Supplement to the Law on Normative Acts
	<b>21. Publication of results</b>	<b>Partially</b> Art. 40 of the Rules of Procedure of the National Assembly	No motives for adopted/rejected proposals	Legal regulation of standard 21 - Law for Amendment and Supplement to the Law on Normative Acts
	<b>22. Refusals of the right</b>	<b>Lack of specific regulation</b>	<b>—</b>	Adopting uniform rules for establishment and functioning of expert and consultative bodies (good practice: the Rules of the Public Council at the Commission for Interaction with Non-governmental organizations and Citizen Complaints – 43 <sup>rd</sup> National Assembly). Law for Amendment and Supplement to the Administration Act in line with standards 22 and 23
	<b>23. Balanced composition of expert and consultative bodies</b>	Chapter VI of Rules of Procedure of the National Assembly <b>Partially in the central administration</b> Art. 21, Art. 45, Art. 47 (8), Art. 54 (8) of the Administration Act	<b>No unified practice exists at the central administration for guaranteeing balanced composition of the expert and consultative groups</b>	
	<b>24. Disclosure of interests</b>	<b>Lack of explicit regulation regarding the members of consultative councils</b>	<b>Partially:</b> Good practice in the Commission for Interaction with Non-governmental organizations and Citizen Complaints – 43 <sup>rd</sup> National Assembly	Legal regulation of standard 24 - Law for Amendment and Supplement to the Administration Act
	<b>25. Management and investigation</b>	<b>None</b>	<b>—</b>	Standards 25 and 26 should explicitly be provided for in the competencies of

26. Advice, analysis and awareness raising	<b>None</b>	<b>—</b>	the National Bureau for Counteraction of Corruption under the draft Law on Prevention of Corruption Among High-level Public Officials
27. Complaints mechanism	General procedure – Chapter VIII of the Administrative Procedure Code	<b>Partially</b> Lack of standardized practice regarding the anonymous signals	Review of the existing practice
28. Whistle-blower protection	<b>Partially</b> Chapter VII of the Law for Prevention and Ascertainment of Conflict of Interest	Lack of objective information regarding the effect of the application of this regulation	Introduction of standard 28 also regarding signals for undue lobbying practices
29. Sanctions	<b>Partially</b> Law for Prevention and Ascertainment of Conflict of Interest	Lack of objective information regarding the effect of the application of this regulation	Introduction of standard 29 in the part concerning the responsibility of the superior
30. Periodic review	<b>None</b>	<b>—</b>	Legal regulation of standard 30