

Skilled Crafts Act

Promulgated, SG No. 42/27.04.2001, effective 28.05.2001, amended, SG No. 112/29.12.2001, effective 29.12.2001, SG No. 56/7.06.2002, SG No. 99/9.12.2005, effective 10.06.2006, SG No. 105/29.12.2005, effective 1.01.2006, amended and supplemented, SG No. 10/31.01.2006, amended, SG No. 30/11.04.2006, effective 12.07.2006, amended and supplemented, SG No. 34/25.04.2006, effective 1.07.2007 (*)(**), amended, SG No. 81/6.10.2006, SG No. 19/13.03.2009, effective 10.04.2009, amended, SG No. 82/16.10.2009, effective 16.10.2009, amended and supplemented, SG No. 15/23.02.2010, effective 23.02.2010, SG No. 28/5.04.2011, amended, SG No. 68/2.08.2013, effective 2.08.2013, SG No. 79/13.10.2015, effective 1.08.2016

(*) effective 1.07.2007 - amended, SG No. 80/3.10.2006, effective 3.10.2006

(**) effective 1.01.2008 - amended, SG No. 53/30.06.2007, effective 30.06.2007

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Chapter One GENERAL DISPOSITIONS

Article 1. (Amended, SG No. 28/2011) This act shall provide for the conditions and procedure for the exercise of a craft.

Article 2. (1) This act shall have the objective to stimulate the development of crafts by providing conditions for expansion of enterprise, protection of artisan interests and craft service consumer protection.

(2) (Repealed, SG No. 28/2011).

Article 3. (Amended, SG No. 28/2011) (1) A craft shall constitute activity for the manufacture of articles and/or the provision of services in skilled craft mode.

(2) An enterprise for the production of articles or the rendition of services shall be organised in small enterprise mode where the following requirements are met simultaneously:

1. the activity is included in the list of skilled crafts pursuant to Annex No.1;

2. the work is done manually or with the help of manual or other specific for the craft tools; the final product or service is similar to others of the same kind or unique;

3. the performance of the activity requires relevant knowledge, production and technical skills and practical habits, acquired in the course of trade training and qualification, vocational training in the system of secondary and higher education, courses for acquiring or raising qualification, as well as professional experience.

4. the activity is performed by craftsmen - individually employed persons or united in companies pursuant to the Obligations and Contracts Act.

Chapter Two CRAFT EXERCISE

Article 4. (1) (Amended, SG No. 28/2011) A craftsman shall engage in a craft following entry in the BULSTAT register under the procedure of Item 6 or 9 of Article 3 (1) of the BULSTAT Register Act, with the exception of the craftsmen who are not individually employed persons.

(2) (Amended, SG No. 28/2011) The owner of an enterprise organised in skilled craft mode shall be obligated to put at a prominent place in the workplace a master's certificate or a journeyman certificate, or a document attesting to the right to engage in a craft, as well as to show upon request by consumers of the provided goods or services or the control authorities an identification card attesting to the BULSTAT code.

(3) (Repealed, SG No. 28/2011).

(4) (New, SG No. 28/2011) Craftsmen may engage in one or more skilled crafts, may provide only skilled craft services and may trade only with their own produce.

Article 5. (Amended, SG No. 99/2005, SG No. 82/2009, SG No. 28/2011) (1) The owner of an enterprise organised in skilled craft mode may be an independently employed craftsman or persons united in a company pursuant to the Obligations and Contracts Act.

(2) An independently employed craftsman may be a natural person meeting one of the following conditions:

1. a journeyman - without the right to train apprentices;
2. a master;
3. a person with acquired 2nd or 3rd degree of professional qualification at institutions from the system of vocational education and training, or holding higher education corresponding to the craft he/she wants to engage in, as well as acquired relevant experience in the said craft.

(3) A company pursuant to the Obligations and Contracts Act may be the owner of an enterprise organized in skilled craft mode when the natural person responsible for the technical management of the

production activity is a master in a craft within the sphere of activity thereof.

Article 6. (Amended, SG No. 99/2005, SG No. 82/2009, repealed, SG No. 28/2011).

Article 7. (Repealed, SG No. 28/2011).

Chapter Three CRAFTSMANSHIP ORGANISATION

Section I Regional Craft Chambers

Article 8. (1) (Amended, SG No. 28/2011) Craftsmen may unite in regional craft chambers that are legal persons. Regional craft chambers shall operate in compliance with the Not-for-profit Legal Persons Act.

(2) There shall be only one regional craft chamber in one region.

(3) Only legal persons meeting the conditions of this act shall be entitled to bear the name of "Regional craft chamber".

(4) A regional craft chamber shall be entitled to acquire and own property.

Article 9. (Amended, SG No. 28/2011) A regional craft chamber shall:

1. protect the interests of its members and support them; it shall help prevent unfair competition between them;

2. cooperate with the state and the municipal administration in their efforts to encourage the development of crafts and ensure the quality of the skilled craft services provided, as well as at the drafting of ordinances, programmes and projects related to crafts;

3. support its members in organising and effecting craft training, organise craft qualification exams and issue journeyman certificates;

4. cooperate with institutions in the system of vocational education and training and the system of higher education;

5. prepare programmes for training of craftsmen according to the needs of the region, coordinate these programmes with the National Chamber of Crafts, which shall send them for endorsement by the National Agency of Vocational Education and Training; shall publish the endorsed programmes in its Website;

6. cooperate with the Fellowship of Masters of Folk Art Crafts and the branch organisations - members of the National Chamber of Crafts - to the ends of the practical training of craftsmen and the opening of jobs for the acquisition of experience and qualification of journeymen by the branch organisations.

7. publish on its Website the samples of documents approved by the managing authorities of the National Chamber of Crafts whereby the craftsmen certify the origin of their products, as well as other certifying documents in the cases provided by a law;

8. open and maintain a regional register of the craftsmen who are its members, which shall include the following sections:

- a) companies pursuant to the Obligations and Contracts Act;
- b) individually employed craftsmen;
- c) masters who are not individually employed persons;
- d) journeymen who are not individually employed persons;
- e) apprentices.

Article 10. (1) (Amended, SG No. 28/2011) Members of a regional craft chamber may be:

1. independently employed craftsmen;
2. companies pursuant to the Obligations and Contracts Act - owners of enterprises organized in skilled craft mode.
2. masters, journeymen and apprentices.

(2) (Repealed, SG No. 28/2011).

Article 11. (Amended, SG No. 28/2011) Any skilled craftsman may at his/her own volition be a member of the regional craft chamber in the area of which he/she wants to engage in a craft. The members of a regional craft chamber shall be entered in the register referred to in Item 8 of Article 9 herein.

Article 12. (1) (Amended, SG No. 28/2011) The General Meeting, the Management Board and the Commission on Ethics and Resolution of Disputes shall be bodies of a regional craft chamber.

(2) The structure and activity of a regional craft chamber shall be provided under articles of association.

Article 13. The general meeting shall be the supreme body of a regional craft chamber.

Article 14. (1) (Amended, SG No. 28/2011) The general meeting shall consist of all members of a regional craft chamber.

(2) (Repealed, SG No. 28/2011).

(3) (Repealed, SG No. 28/2011).

(4) (Repealed, SG No. 28/2011).

Article 15. The general meeting shall:

1. approve, amend and supplement the articles of association;
2. (repealed, SG No. 28/2011);

3. (supplemented, SG No. 28/2011) elect and dismiss the members of the management board and the members of the Commission on Ethics and Resolution of Disputes;

4. approve the basic trends and a programme for the activity of the chamber;

5. approve the budget;

6. approve the report on the activity of the management board;

7. (new, SG No. 28/2011) accept the report on the implementation of the budget which shall be published on the Website of the regional craft chamber and the National Chamber of Crafts.

Article 16. (1) (Amended, SG No. 28/2011) The general meeting shall be summoned by the management board or upon the request of 1/5 of the members of the general meeting at least once a year. Where in the latter case the management board fails within 14 days to give written notice of convening a general meeting, that shall be convened by the court relevant to the seat of the chamber upon the written request of the interested parties or a person authorised thereby.

(2) Sessions of the general meeting shall be summoned and held under provisions of the regional craft chamber articles of association.

Article 17. (1) The management board shall carry out the decisions of the general meeting and shall direct the activity of the chamber. It shall also effect other functions, which do not fall within the powers of another body by law or according to the articles of association.

(2) (Supplemented, SG No. 28/2011) The management board shall be authorised to appoint an executive director, when this is provided in the articles of association. The executive director may not be a member of the regional craft chamber.

(3) (New, SG No. 28/2011) The management board shall publish on the Website of the regional craft chamber information about the conditions and procedure for an entry to be made in the register. The information shall be placed at the disposal of craftsmen upon request.

Article 18. (1) (Amended, SG No. 28/2011) The management board of a regional craft chamber shall consist of a chairman and no less than two members, who are elected for a term of five years. Only members of a regional craft chamber may be part of a management board.

(2) The following persons shall not be eligible to election as members of a management board:

1. (amended, SG No. 28/2011) aged under 18 or have been placed under interdiction;

2. deprived of the right to hold managerial, accounting or materially responsible positions;

3. are in the state of wedlock, in direct kinship or are the brother or sister of a member of the management board.

(3) (Supplemented, SG No. 28/2011) At the departure or demise of members of the management board the panel shall be filled pursuant to the requirements of Paragraph 2. The newly elected members shall effect the authority vested therein for remainder of the mandate of the management board.

(4) Meetings of a regional craft chamber management board shall be convened and held pursuant to the articles of association.

Article 19. The chairman of a regional craft chamber management board shall represent that chamber, organise the execution of decisions of the general meeting and of the management board and manage the current affairs of the chamber. When appointment of an executive director is admitted, in the statute shall be provided which of the powers of the chairman of the management council are conceded to the executive director.

Article 19a. (New, SG No. 28/2011) (1) The members of the Commission on Ethics and Resolution of Disputes shall be elected for a period of 5 years. The Commission shall elect a Chairperson among its members.

(2) The Commission referred to in Paragraph (1) shall resolve disputes among craftsmen and shall make inspections upon alerts against actions of the management board of the regional craft chamber, reporting its activity before the general meeting.

(3) The members of the Commission referred to in Paragraph (1) may participate in the meetings of the general meeting and the management board of a regional craft chamber in an advisory capacity.

(4) Where it finds breaches of the law or the articles of association the Commission referred to in Paragraph (1) shall notify the Control Commission of the National Chamber of Crafts.

Article 19b. (New, SG No. 28/2011) (1) The regional craft chamber shall send monthly citations to the National Chamber of Crafts concerning the submitted applications for examination, the examinations held, the certificates issued pursuant to Item 3 of Article 9, the memoranda on internal organizational decisions adopted, as well as other data set down in the articles of association.

(2) The curricula and conspectuses for the holding of exams, memoranda of exams, submitted applications and other documents shall be kept at the archives of the regional craft chamber for a period of 20 years, and the certificates issued - for a period of 50 years.

Article 20. (1) A regional craft chamber shall collect fees for the services it provides.

(2) The amount of the fees shall be determined by a tariff, approved by the Council of Ministers upon a motion by the National Chamber of Crafts.

Section II

Register of Craftsmen

Article 21. (1) (Amended, SG No. 28/2011) Each relevant regional craft chamber shall keep a register of the craftsmen in its region. The register shall be public and shall be published on the Website of the relevant chamber and on the Website of the National Chamber of Crafts.

(2) (Repealed, SG No. 28/2011).

(3) (Repealed, SG No. 28/2011).

(4) (Amended, SG No. 28/2011) The register shall be kept according to form approved by the National Chamber of Crafts in abidance by the Personal Data Protection Act.

Article 22. (Repealed, SG No. 28/2011).

Article 23. (1) (Amended, SG No. 34/2006, amended and supplemented, SG No. 15/2010, effective 23.02.2010, amended, SG No. 28/2011) The following circumstances shall be subject to entering in the register:

1. for the companies pursuant to the Obligations and Contracts Act:

- a) Unified Identification Code (BULSTAT code);
- b) date of registration under BULSTAT, date of suspension of registration;
- c) business name, seat and registered office;
- d) mailing address on the territory of the country, telephone, fax and e-mail address;
- e) the partners representing the company;
- f) the skilled crafts which will be applied;
- g) the location where the crafts will be applied;
- h) a document attesting to the agreement of the master to be responsible for the technical guidance of the production activity, the number of the master's certificate and the name of the master;

2. for independently employed skilled craftsmen;

- a) Personal Identification Number (Personal Number or Alien Personal Number) and the names of the craftsman;
- b) the date of registration under BULSTAT, date of suspension of registration;
- c) mailing address and, where such exist, telephone, fax and e-mail address
- d) the skilled crafts which will be applied;
- e) the location where the crafts will be applied;
- f) the number of the master's certificate or the number of the journeyman's certificate, respectively the number of the higher or

secondary education diploma with acquired 2nd, 3rd or higher qualification degree, or the number of the licence for occupations which require licensing, or the number of the vocational education certificate, as well as the name of the institution which has issued the diploma and/or the certificate/licence, an attested licence issued by a competent authority of another European Union member-state, or another state party to the European Economic Area agreement.

g) the date of commencement, suspension and resumption of the activity;

3. for the masters who are not individually employed:

a) Personal Identification Number (Personal Number or Alien Personal Number) and the names of the craftsman;

b) the date of registration under BULSTAT, date of suspension of registration;

c) mailing address and, where such exist, telephone, fax and e-mail address

d) the skilled crafts which will be applied;

e) the location where the crafts will be applied;

f) the number of the master's certificate, respectively the number of the higher, as well as the name of the institution which has issued the diploma and/or the certificate/licence, an attested licence issued by a competent authority of another European Union member-state, or another state party to the European Economic Area agreement.

4. for the journeymen who are not individually employed persons:

a) Personal Identification Number (Personal Number or Alien Personal Number) and the names of the craftsman;

b) the date of registration in the register, date of suspension of registration;

c) mailing address and, where such exist, telephone, fax and e-mail address

d) the skilled crafts which will be applied;

e) the location where the crafts will be applied;

f) the number of the journeyman's certificate or the number of the journeyman's certificate, respectively the number of the secondary education diploma with acquired 2nd, 3rd or higher qualification degree, or the number of the licence for occupations which require licensing, or the number of the vocational education certificate, as well as the name of the institution which has issued the diploma and/or the certificate/licence, an attested licence issued by a competent authority of another European Union member-state, or another state party to the European Economic Area agreement.

g) the date of commencement, supervising master, date of suspension;

5. for apprentices:

a) Personal Identification Number (Personal Number or Alien Personal Number) and the names of the craftsman;

b) the date of registration in the register, date of suspension of registration;

c) mailing address and, where such exist, telephone, fax and e-mail address

d) the skilled crafts in which the person will be trained;

e) the location where the person will learn a craft;

f) the name of the instructing master under the contract of training concluded between the apprentice and the master;

g) the number of the diploma/certificate attesting to graduated primary or secondary education grade, completed degree of education or successfully completed education course under the procedure of the Employment Promotion Act, as well as the name of the institution which has issued the diploma and/or the certificate/licence, an attested licence issued by a competent authority of another European Union member-state, or another state party to the European Economic Area agreement.

h) the date of commencement, suspension and resumption of training.

(2) Changes in the circumstances under Paragraph (1) shall also be liable to entry, following the submission of an application, accompanied with the corresponding documents, within 14 days after their occurrence.

Article 24. (Amended, SG No. 105/2005, amended and supplemented, SG No. 34/2006, SG No. 15/2010, effective 23.02.2010,

amended, SG No. 28/2011) (1) Entries into the register of craftsmen shall be made upon the application of the independently employed skilled craftsman, respectively of the persons vested with representative authority - for the company pursuant to the Obligations and Contracts Act.

(2) An application for registration shall contain the data liable to entry pursuant to Article 23.

(3) The following shall be presented with the application for entry:

1. master certificate and/or other documents, certifying the existence of the circumstances permitting the enterprise to function as a skilled craft one;

2. the data and the documents concerning the masters and the journeymen who are not independently employed persons, as well as the apprentices;

3. a document, certifying the consent of the master to undertake the technical management of the craft company pursuant to the Obligations and Contracts Act;

4. evidence of the representative authority of the persons who have signed the application for the company pursuant to the Obligations and Contracts Act.

(4) Where the application has been submitted by a person who is a national of a Member State of the European Union or a State which is a Contracting Party to the Agreement on the European Economic Area, who wishes to establish himself or herself in the territory of the Republic of Bulgaria and to exercise in person a skilled-craft, the said person shall furthermore present a copy of a document proving possession of a qualification meeting the requirements for a master or another document proving the right of the said person to exercise a skilled craft.

(5) Where a person referred to in Paragraph (4) wishes to exercise a skilled-craft on the territory of the Republic of Bulgaria without establishing himself or herself, the said person shall notify the relevant Regional Chamber of Skilled Crafts within whose territory the activity is to be exercised prior to commencement of the said activity. The notification shall state:

1. the State in which the person is established and an address therein;

2. address in the territory of the Republic of Bulgaria related to the exercise of a skilled-craft;

3. copy of a document proving possession of a qualification meeting the requirements for a master or another document proving the right of the person to exercise a skilled craft.

Article 25. (1) (Supplemented, SG No. 10/2006, amended, SG No. 15/2010, effective 23.02.2010, SG No. 28/2011) The regional craft chamber shall enter an applicant where the said applicant meets the requirements under Article 24 herein within 14 days following the submission of that application.

(2) In the case of incompleteness and/or imprecision in the presented documents the applicant shall be notified to correct these in writing within seven days. Failure to correct the incomplete and/or imprecise information within one month of the notification shall leave the application without consideration.

(3) (Repealed, SG No. 28/2011).

(4) Entries shall be effected by persons chosen by a decision of the management board of a regional craft chamber to keep and preserve the register of the craftsmen, and who:

1. keep a register of applications received and an alphabetical index of registered craftsmen;

2. enter in the register the data and the circumstances under Article 23;

3. store the documents;

4. give information and enter the changes in the files.

(5) (New, SG No. 10/2006) The entry shall be effected within three days of the ruling of the Regional Craft Chamber. In case of appeal against a rejection, entry shall be effected within three days as of the date of submission of the court judgement for repeal of the rejection.

(6) (Renumbered from Paragraph 5, SG No. 10/2006) A registered person shall be issued a certificate in a form approved by the National Chamber of Crafts.

(7) (Renumbered from Paragraph 6, SG No. 10/2006) The persons keeping the registers shall group the documentation of each applicant in a separate file with the consecutive number of the file. The cover of the file shall bear its number and the number of the volume and the page of the register.

Article 26. (1) Entries in the register of craftsmen shall be deleted:

1. (amended, SG No. 28/2011) upon the request of an entered person, respectively his/her heirs;

2. (amended, SG No. 28/2011) upon the death of a natural person or termination or liquidation of a company under the Obligations and Contracts Act.

(2) The erasure of a craftsman file number shall be recorded in the cases under Paragraph 1.

Article 27. (Amended, SG No. 28/2011) Each regional craft chamber shall notify the National Chamber of Crafts of registered or respectively erased craftsmen on a monthly basis for filling in and updating the national register of craftsmen.

Section III National Chamber of Crafts

Article 28. (1) (Supplemented, SG No. 28/2011) The National Chamber of Crafts shall be a representative organisation of the craftsmen in the Republic of Bulgaria.

(2) (Amended, SG No. 28/2011) The National Chamber of Crafts shall support and protect the common interests of its members and promote the development of crafts and the endorsement of their prestige. The National Chamber of Crafts shall also promote the preservation and development of traditional Bulgarian crafts.

(3) (Amended, SG No. 28/2011) The National Chamber of Crafts shall be a legal person registered under the Not-for-profit Legal Entities Act with headquarters in Sofia.

(4) (Amended, SG No. 28/2011) The regional craft chambers shall be members of the National Chamber of Crafts. Branch associations and the Fellowship of Masters of Folk Art Crafts, each of which as a collective member, shall also be eligible to membership.

(5) The National Chamber of Crafts shall approve articles of association regarding its structure and activity.

(6) (New, SG No. 28/2011) The National Chamber of Crafts may acquire and own property.

Article 29. (Amended, SG No. 28/2011) The National Chamber of Crafts shall:

1. conduct a general policy of protection of the interests of craftsmen and their organisations, ensuring their equal position;

2. participate in the development of projects and draft opinions on statutory instruments related to crafts and craft training;
3. endorse the samples of documents, provided by this law;
4. prepare standards of training in the individual crafts from the list pursuant to Annex No. 1, which shall be endorsed by the National Agency of Vocational Training and Education;
5. coordinate the training programmes for the individual crafts and submit them to the National Agency of Vocational Training and Education for endorsement;
6. draft professional rules concerning the conduct of examinations which shall be endorsed by the National Agency of Vocational Training and Education;
7. issue master's certificates;
8. summarise the information received from the regional craft chambers and, where necessary, refer to the competent authorities;
9. keep a central register of craftsmen on the basis of the regional registers;
10. co-ordinate the activity of regional craft chambers.
11. carry out other functions in compliance with its articles of association.

(2) The National Chamber of Crafts shall publish on its Website the documents referred to in Items 3, 4, 5 and 6 of Paragraph (1) and the register pursuant to Item 9 of Article (1), as well as other information.

(3) Every six months the National Chamber of Crafts shall place at the disposal of the Ministry of Interior an updated list of the skilled craftsmen and employed masters in the craft of locksmithing, as well as of the apprentices in the trade.

Article 30. The general meeting, the board and the control commission shall be bodies of the National Chamber of Crafts.

Article 31. (Amended, SG No. 28/2011) The general meeting of the National Chamber of Crafts shall consist of representatives of all the regional craft chambers, of the Fellowship of Masters of Folk Art Crafts and of other members according to representation quota for each craft included in the list under Annex No. 1 defined in the articles of association.

Article 32. The general meeting of the National Chamber of Crafts shall:

1. approve, amend and supplement the articles of association;
2. elect the members of the board and the control commission;

3. (amended, SG No. 28/2011) accept as members national branch associations.

Article 33. (1) (Amended, SG No. 28/2011) The general meeting of the National Chamber of Crafts shall be summoned no less than once a year by the board of trustees or at the request of one-tenth of the members thereof. Where in the latter case the board of trustees fails

to post a written invitation for the convening of the general meeting, that meeting shall be convened by the relevant court according to the seat of the chamber at the written request of the interested members or a person authorised thereby.

(2) A general meeting of the National Chamber of Crafts shall be convened and conducted under conditions and by a procedure provided in the articles of association.

Article 34. The board of the National Chamber of Crafts shall implement the decisions of the general meeting and shall direct the activity of the chamber.

Article 35. (1) (Amended, SG No. 28/2011) The board of the National Chamber of Crafts shall consist of a chairman and ten members, elected for a term of four years. Only members of the regional craft chambers, of the Fellowship of Masters of Folk Art Crafts and representatives of national branch craft organisations accepted as members shall be eligible to become members of the board.

(2) The requirements of Article 18, Paragraphs 2 and 3 shall apply for the members of the board of the National Chamber of Crafts.

(3) The board of the National Chamber of Crafts shall be able to establish bodies in support of its activity like commissions, councils and others.

(4) (Amended, SG No. 28/2011) The board of the National Chamber of Crafts shall be able to appoint an executive director, if this is provided in the articles of association. The executive director may not be a member of a regional craft chamber or a representative of a branch craft association accepted as member of a branch organisation. The executive director can be discharged by the board at any time.

Article 36. The chairman of the board of the National Chamber of Crafts shall represent the chamber, organise the implementation of the decisions of the general meeting and the board, as well as manage the current activity of the chamber. When appointment of executive director is permitted, the articles of association shall provide for the authority vested in the executive director.

Article 37. (Amended, SG No. 28/2011) The members and the chairperson of the control commission shall be elected for a period of five years.

Article 38. (1) The control commission shall check the activity of the management bodies of the National Chamber of Crafts and of the regional craft chambers and account for its activity before the general meeting.

(2) The members of the control commission shall be eligible to participate in the sessions of the board of the National Chamber of Crafts and of the management councils of the regional craft chambers with a consultative vote.

(3) When essential breaches of the act or the articles of association are established, the control commission shall summon the general meeting of the National Chamber of Crafts or the respective regional craft chamber.

Article 39. (1) (Amended, SG No. 28/2011) A court of arbitration shall be established at the National Chamber of Crafts for solving disputes between craftsmen which cannot be resolved by the commissions on ethics and resolution of disputes at the regional craft chambers.

(2) The considering of an arbitration case shall be provided for under the regulations of the court of arbitration.

(3) The court of arbitration shall resolve the disputes on the basis of the act, the regulations and custom.

(4) The provisions of the International Commercial Arbitration Act shall apply to issues not resolved by the present act.

Article 40. (1) The National Chamber of Crafts shall collect fees for the services it provides.

(2) The amount of the fees shall be determined with a tariff, approved by the Council of Ministers upon a motion of the National Chamber of Crafts.

Article 41. (1) The bodies of local self-government, the central and the territorial bodies of the executive shall cooperate with the National Chamber of Crafts and with the regional craft chambers to achieve the objectives of the law and exchange the necessary information.

(2) In drafting statutory instruments related to the crafts, the competent state authorities shall request the opinion of the National Chamber of Crafts.

Section IV (Repealed, SG No. 28/2011) Branch Craft Associations

Article 42. (Repealed, SG No. 28/2011).

Article 43. (Repealed, SG No. 28/2011).

Article 44. (Repealed, SG No. 28/2011).

Chapter Four CRAFT TRAINING

Section I Apprentices

Article 45. (1) (Amended, SG No. 28/2011) Apprentices shall be persons who work and train in a craft.

(2) (Amended and supplemented, SG No. 28/2011) An apprentice may only be trained by a master under training programmes endorsed by the National Agency of Vocational Education and Training.

(3) (Amended, SG No. 79/2015, effective 1.08.2016) Only persons above 16 years of age who are not being educated at a day school from the pre-school and school education system or are not regular students at a higher educational establishment may be accepted as apprentices.

(4) (New, SG No. 28/2011, amended, SG No. 68/2013, effective 2.08.2013, SG No. 79/2015, effective 1.08.2016) Paragraph (3) shall not apply in the case of training of persons with disabilities in a system for vocational training developed especially for them, providing there are contractual relations between the relevant school and the regional craft chamber, as well as a training programme approved by the National Chamber of Crafts and endorsed by the Ministry of Education and Science.

Article 46. (1) (Amended, SG No. 28/2011) At an enterprise organized in craft mode and at the Fellowship of Masters of Folk Art Crafts apprentices may be trained only in the crafts listed in Annex No. 1 and applied thereat.

(2) (Amended, SG No. 28/2011) Only those enterprises that are organized in craft mode and the Fellowship of Masters of Folk Art Crafts that have provided appropriately outfitted premises to that end shall have the right to conduct training.

(3) (Amended, SG No. 28/2011) The number of the apprentices shall be determined by the capacity for training and the needs of an enterprise, organized in craft mode, the Fellowship of Masters of Folk Art Crafts, as well as the needs of the region.

(4) One master cannot train more than two apprentices at the same time.

Article 47. (1) (Amended, SG No. 28/2011) The following shall be determined in the training programmes for training apprentices in every craft:

1. the period of education, which cannot be less than three years or more than four years;
2. the skills and knowledge subject to the craft training;
3. the crafts, in which training can be organised;
4. the requirements for the conditions of training;
5. the exam requirements for the completion of training;
6. the management and control of the training;

7. the documents for completed training;
8. (new, SG No. 28/2011) the rules of holding an examination in each craft, including a plan for the examination, the criteria and the duration of the said examination;
9. (new, SG No. 28/2011) the number of times for sitting an examination and the period between the individual sittings.

(2) (Amended, SG No. 28/2011) An apprentice may be trained only if he/she has concluded a contract to that end with a master.

(3) (Amended, SG No. 28/2011) The contract between an apprentice and a master shall determine:

1. the period of training;
2. (amended, SG No. 28/2011) the craft, in which the training will be effected;
3. (amended, SG No. 28/2011) the financial relations between the master and the apprentice, including the minimum wage per hour/day/month of the apprentice for the work done.

(4) (Amended, SG No. 28/2011) The Labour Code shall apply with regard to the legal employment relations between an apprentice and the master.

Article 48. (Repealed, SG No. 28/2011).

Article 49. The training of an apprentice shall be completed with a journeyman exam.

Section II Journeyman

Article 50. (1) (Amended and supplemented, SG No. 28/2011)

Journeyman shall be persons who permanently exercise a certain craft at an enterprise organised in craft mode.

(2) (Amended, SG No. 28/2011) The regional craft chamber shall issue a journeyman certificate to:

1. (amended, SG No. 28/2011) an apprentice, who has successfully passed a journeyman exam before the commissions referred to in Article 53 (1);
2. (amended and supplemented, SG No. 28/2011) a person, who has not been an apprentice at an enterprise, organized in craft mode, but has been exercising a craft for at least three years and has successfully passed a journeyman exam;

3. (supplemented, SG No. 28/2011) a person, who has not passed a journeyman exam but who has second or third degree of professional qualification under the Vocational Education and Training Act, if it corresponds to a certain craft.

(3) (New, SG No. 28/2011) The National Chamber of Crafts shall endorse a standard in form and content form of a journeyman certificate for each craft, which shall be mandatory for the regional craft chambers.

Article 51. (1) (Amended, SG No. 28/2011) The journeyman exam should establish whether the examined person has all the theoretical knowledge and practical skills, necessary for exercising the respective craft.

(2) (Amended, SG No. 28/2011) The regional craft chamber shall determine the place and the hour where a journeyman examination in a certain craft will be held.

Article 52. (Repealed, SG No. 28/2011).

Article 53. (1) (Amended, SG No. 28/2011) The craft chambers shall choose exam commissions to hold journeyman exams.

(2) (Amended, SG No. 28/2011) An exam commission shall consist of at least five members. The members of an exam commission shall be masters in the relevant craft in which the examination is held, or representatives of the branch organisations, the Fellowship of Masters of Folk Art Crafts and instructors in the respective field, designated by a motion of the regional craft chambers, the Fellowship of Masters of Folk Art Crafts and the branch organisations. The chairman of a commission shall be determined by the regional craft chamber.

(3) (Amended, SG No. 28/2011) The members of an exam commission shall receive remuneration the extent of which shall be determined by the relevant regional craft chamber.

(4) An exam commission shall conduct journeyman exams twice a year.

Article 54. (Repealed, SG No. 28/2011).

Section III Masters

Article 55. (1) (Amended, SG No. 15/2010, effective 23.02.2010) (1) (Amended, SG No. 28/2011) A master in a particular skilled craft shall be a person who is familiar in detail with the entire working process to the degree of being able to carry it out alone, has the

practical skills and theoretical knowledge necessary for the relevant craft and holds a master's certificate.

(2) (Amended, SG No. 28/2011) The National Chamber of Crafts shall issue master's certificates to:

1. a journeyman who has successfully passed the master examination;

2. a person who has not sat for a master examination but who has higher education in the field of application of the relevant craft and at least two years' experience in this specialty.

(3) The persons referred to in Paragraphs (1) and (2) may hold an unlimited number of master certificates.

Article 56. (Amended, SG No. 28/2011) The training of masters shall be held at enterprises, organized in craft mode, or at the Fellowship of Masters of Folk Art Crafts in compliance with the requirements of the standards of training in each craft from the list in Annex No. 1 and the endorsed programmes. A training programme shall determine:

1. the period of training for each craft;
2. the skills and knowledge subject of craft training;
3. the crafts in which master training can be organized;
4. the requirements to the conditions of training;
5. the examination requirements for completion of training;
6. the training management and control;
7. the documents for completed training;
8. the rules for holding a master examination in each craft, including the plan of organization, the criteria and the duration of the examination;
9. the number of times an examination can be sat and the period between the individual sittings.

Article 57. (1) (Amended, SG No. 28/2011) A master exam shall establish whether the applicant has all the theoretical knowledge and practical skills that shall enable that applicant to exercise the relevant craft on his own and to teach apprentices and journeymen practical skills,.

(2) A master exam shall be conducted in three parts:

1. practical;

2. (amended, SG No. 28/2011) theoretical, including the fundamental knowledge in the field of application of the craft, the characteristic materials and tools it uses and the organisation and safety of labour;

3. (amended, SG No. 28/2011) pedagogical; exceptions can be allowed for persons who have successfully completed a course with pedagogical orientation or who hold documents proving pedagogical experience.

Article 58. (Amended, SG No. 28/2011) The National Chamber of Crafts shall assist the training of candidates to sit for a master exam.

Article 59. (1) (Amended, SG No. 28/2011) Persons who have exercised a craft in the course of two years and who are one of the following shall be permitted to sit for a master exam, including:

1. journeymen, or
2. secondary or higher education graduates in the respective speciality.

(2) (Amended, SG No. 28/2011) The management board of a regional craft chamber may by motivated decision admit to a master exam a person, who has exercised the craft abroad and submits copies of documents attesting to his qualification according to the legislation as per the place of exercising of the craft.

Article 60. (1) (Supplemented, SG No. 28/2011) The National Chamber of Crafts shall appoint exam commissions for holding master exams upon a motion of regional craft chamber, the branch organizations, the Fellowship of Masters of Folk Art Crafts and the National Agency of Vocational Education and Training. The mandate of an exam commissions shall be five years.

(2) (Amended, SG No. 28/2011) An exam commission shall consist of at least five members. Members of an exam commission shall be masters in the craft in which the exam is held, or representatives of the branch organizations, the Fellowship of Masters of Folk Art Crafts and lecturers in the respective field, appointed by a motion of the regional craft chambers, the Fellowship of Masters of Folk Art Crafts and the branch organizations.

(3) Members of an exam commission shall receive remuneration for conducted exams to an amount determined by the National Chamber of Crafts.

(4) An exam commission shall hold master exams twice a year.

Article 61. (Amended, SG No. 28/2011) (1) Candidates shall be permitted to sit for an exam following a decision of the exam commission, passed by an ordinary majority. Candidates shall be notified about the decision of the commission within 15 days following the submission of the respective documents. The chairman of the exam commission shall be obliged to notify each candidate whether he/she has been admitted for an exam or what omissions in his/her documents have to be eradicated. The refusal of the commission to grant permission for sitting an exam shall be appealed under the procedure of the Code of Administrative Procedure.

(2) The total course of training and acquiring qualification and practical experience of a master shall be at least 14 years - general

education at least 8 years, four years training at a specialized educational establishment or three years' apprenticeship and two or three years practical training on the spot, working at an enterprise in the concrete craft or occupation.

(3) The National Chamber of Crafts shall issue master certificates for each craft by a standard form with standard content endorsed thereby.

Article 62. (Amended, SG No. 28/2011) If a candidate does not pass a master exam successfully, he shall have the right to sit for the exam again following six months' additional training counted from the date the exam was sat.

Article 63. (Repealed, SG No. 28/2011).

Chapter Five (New, SG No. 10/2006) JUDICIAL CONTROL

Article 64. (New, SG No. 10/2006) (1) The decisions of the bodies of the National Chamber of Crafts and of the Regional Craft Chambers, which are in contradiction with the law or with the by-laws are subject to control under the general claim procedure within 14 days of announcement or learning about the decision, but not later than three months of the date of announcement.

(2) (Amended, SG No. 30/2006, SG No. 15/2010, effective 23.02.2010) The administrative acts under this Act shall be appealed under the terms and procedure of the Code of Administrative Procedure.

Chapter Six (New, SG No. 10/2006) ADMINISTRATIVE SANCTIONS PROVISIONS

Article 65. (New, SG No. 10/2006, amended, SG No. 28/2011)

(1) For violation or default of the provisions of Article 4, Article 5 (3), Article 45 (2), (3) and (4), Article 46 and Article 47 (1) and (2), a fine of BGN 100 but not exceeding BGN 1,000 shall be imposed on the guilty persons, which fine shall be paid to the budget of the municipality where the respective administrative violation has been established, providing that the deed is not incriminated.

(2) In cases of repeated violation pursuant to Paragraph (1) the pecuniary sanction shall amount to no less than BGN 200 but not exceeding BGN 2,000.

Article 66. (New, SG No. 10/2006, amended, SG No. 28/2011)

A regional craft chamber that does not fulfil its obligations pursuant

to Item 5 and 7 of Article 9, Article 21, Article 23 (1), Article 25, Article 26, Article 27, Article 50 (2) and (3), Article 53 (1) and Article 59, or that refuses to provide information from the regional register of skilled craftsmen, shall be sanctioned with a pecuniary sanction of no less than BGN 500 but not exceeding BGN 2,000, which shall be transferred as a revenue of the municipality budget on whose territory the chamber is registered.

(2) Upon non-performance of its obligation pursuant to Items 3, 4, 5, 6 and 9 of Article 29 (1), (2) and (3), Article 55 (2) and Article 60 (1), or upon refusal to provide information from the national register of skilled craftsmen, the National Chamber of Crafts shall be sanctioned with a pecuniary sanction of no less than BGN 500, but not exceeding BGN 2,000, which shall be transferred as a revenue of the municipality budget according to the seat of the chamber.

(3) A repeated violation pursuant to Paragraph (1) and (2) shall be sanctioned with a pecuniary sanction of no less than BGN 1,000, but not exceeding BGN 5,000.

Article 67. (New, SG No. 10/2006, amended, SG No. 28/2011)

The acts for establishment of administrative violations shall be issued by the mayors of municipalities or persons authorised thereby.

Article 68. (New, SG No. 10/2006) (1) The district governor or a person authorised thereby shall issue a penal decree on the grounds of the instituted act.

(2) Establishment of violations, issuing, appealing and execution of penal decrees shall be performed pursuant to the Administrative Violations and Sanctions Act.

SUPPLEMENTARY PROVISIONS

(Title amended, SG No. 28/2011)

§ 1. Within the meaning of this act:

1. (Amended, SG No. 28/2011) A person "responsible for the technical management" of an enterprise under the Obligations and Contracts Act shall be a master who manages the production activity and is responsible for the implementation of the technological process who may not be the owner of the enterprise.

2. (Amended, SG No. 28/2011) "Craft qualification" shall constitute a range of the necessary knowledge and acquired practical skills - professional, organisational, creative and other knowledge and qualification, sufficient to manufacture a skilled craft product or to provide a skilled craft service.

3. (Amended, SG No. 28/2011) "Craft training" shall mean teaching the specific to a craft applicable skills and techniques,

acquaintance with the specific tools and materials, development of organisational, creative and other knowledge and skills of an individual necessary for exercising a specific craft. The knowledge and practical skills have been acquired in skilled craft training at an enterprise organised in craft mode, by gradual accumulation of knowledge and practical improvement of skills.

4. (New, SG No. 28/2011) "Production and technical skills" shall mean skills for using specific mechanisms for the making and shaping of an article, created in the process of development of the craft in time.

5. (New, SG No. 28/2011) "Skilled craft services" shall mean repair, service and/or maintenance of products, devices and sites, as well as activities related to needs of a personal nature, which are carried out/provided by manual labour or with the help of tools and mechanisms characteristic of the craft.

6. (New, SG No. 28/2011) "Repeated" shall be a violation made within one year after a penal act imposing a sanction on the perpetrator for a violation of the same type becomes effective.

§ 1a. (New, SG No. 28/2011) The exercise of a skilled craft shall be proven before a regional craft chamber with:

1. an occupational record licence or by other means of establishing working experience, or by registration;
2. documents for paid taxes and insurance contributions over the time the skilled craft was exercised.

TRANSITIONAL AND FINAL PROVISIONS

§ 2. The Council of Ministers, the regional governors and the municipal councils shall place at the disposal of the regional craft chambers and the National Chamber of Crafts state or municipal owned premises, necessary for implementing their activity, under the procedure provided by the State Property Act or the Municipal Property Act respectively.

§ 3. (1) Regional governors or persons authorised by them shall keep the register of craftsmen and the register of masters prior to the establishment of regional craft chambers, but not more than two years after this act enters into force.

(2) (Amended, SG No. 112/2001, SG No. 56/2002) Persons who at the moment the act enters into force implement an activity, indicated in the list of crafts, which meets the requirements of Article 3 (2) and § 4, shall submit documents under Article 23, items 1 - 3 of Paragraph (2), a diploma for education and evidence under § 4, (2) for entry in the registers under Paragraph (1), between June 1, 2001 and December 31, 2002.

§ 4. (1) Within a year of this act's entry into force recordings in the register of masters shall be entered of persons who have not sat for a master exam but who have:

1. completed higher education and have exercised the craft in three of the last ten years;
2. completed secondary or college education in the corresponding speciality and have exercised the craft in five of the last ten years;
3. completed secondary or college education and have exercised the craft in five of the last ten years;
4. completed primary education and have exercised the craft in ten of the last 15 years;
5. completed elementary education and have exercised the craft in 12 of the last 20 years.

(2) The exercising of a craft under employment contract shall be proven with a work record card or in another way for establishing labour experience. Independent exercising of a craft shall be proven with a certificate for membership in masters association or another similar organisation. When independent exercising of a craft is proven by registration with the municipality, with the court or by another type of registration, evidence shall also be presented for the taxes paid over the duration the craft was exercised.

§ 5. Prior to the establishment of the National Chamber of Crafts its functions shall be exercised jointly by the Bulgarian Craft Chamber and the Bulgarian Industrial Association, which shall determine the number of the workers under Item 3 of Article 3 (2), issue forms of the certificates for entry in the register of craftsmen pursuant to Article 25 (5) and determine the conditions and the procedure for maintenance of the register of masters within six months after the act enters into force.

§ 6. (1) Regional craft chambers shall be established at general meetings, summoned by the regional governors in conjunction with the National Chamber of Crafts and the Bulgarian Industrial Association by publications in two national and one regional daily not earlier than one year after the act enters into force and not before 50 persons of no less than four different crafts are entered in the register of craftsmen. Participants in the constituent meeting shall include all persons, entered in the register of craftsmen prior to the issue of the order by the regional governor for summoning the general meeting. The general meeting shall elect the bodies of the chamber and shall adopt articles of association.

(2) One regional craft chamber may be established for two or more neighbouring regions. In this case, the constituent meeting shall be summoned by the regional governors of all participant regions.

(3) The National Chamber of Crafts shall be established at a general meeting with the participation of at least five regional craft chambers, covering no less than ten regions. The general meeting shall elect the bodies of the chamber and shall adopt articles of association.

§ 7. Members of the first management boards of the regional craft chambers shall be elected for a term of three years. The members of the first board of the National Chamber of Crafts shall be elected for a term of four years.

§ 8. The words "and craftsman in the sense of the Skilled Crafts Act" shall be added at the end of § 1 (1) in the Supplementary Provision

of the Small and Medium-Sized Enterprises Act (promulgated in the State Gazette No. 84 of 1999, amended in No. 80 and No. 92 of 2000).

§ 9. This act shall enter into force one month after its promulgation in the State Gazette. This act was passed by the 38th National Assembly on April 12, 2001 and was affixed with the official seal of the National Assembly.

TRANSITIONAL AND FINAL PROVISIONS

to the Act to Amend and Supplement the Skilled Crafts Act
(SG No. 28/2011)

§ 58. Apprentices, journeymen and masters shall retain the rights acquired thereby prior to the enforcement of this act.

§ 59. The certificates issued by the Fellowship of Masters of Folk Art Crafts and by the National Fellowship of Masters of Folk Art Crafts shall retain their validity.

§ 60. (1) Within nine months after the entry of this act into force the managing boards of the regional craft chambers and the National Chamber of Crafts shall bring into compliance therewith the programmes for the education and training of craftsmen, the rules of training and the regulations of training and holding examinations.

(2) Before the endorsement by the National Agency of Vocational Education and Training of the programmes for the education and training of craftsmen, the rules of training and the regulations of training and holding examinations, the regional craft chambers shall not hold journeyman exams and shall not issue journeyman certificates, and the National Chamber of Crafts shall not hold examinations for masters and shall not issue master certificates.

§ 61. Within three months after this act becomes effective the National Chamber of Crafts shall endorse a form of regional register of skilled craftsmen as referred to in Article 21 (4).

§ 62. Within six months after this act becomes effective the regional craft chambers and the National Chamber of Crafts shall bring their operation in compliance with the requirements thereof.

§ 63. Within nine months after this act becomes effective the Managing Board of the National Chamber of Crafts, in coordination with the Ministry of Culture, shall draft and publish a schedule of notification of the Ministry of Culture about the up-to-date register of the masters and skilled craftsmen engaged in activity in compliance with the list of skilled crafts in Group I, Folk Art Crafts, of Annex No. 1.

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Annex No.
1
(1) to Article 3
(Amended, SG No.
81/2006,
10.04.2009, SG No. 19/2009, effective
SG No.

List of crafts (in groups)

I. Folk art crafts

1. Artistic leather items
2. Leather items
3. Jewellery
4. Wrought iron items
5. Artistic casting
6. Bell making
7. Knife-making
8. Ancient weaponry
9. Embroidery
10. Artistic knitwear
11. Manufacture of folk dolls
12. Artistic pottery
13. Pottery
14. Woodcarving
15. Manufacture of artistic textiles
16. Braid making
17. Manufacture of folk costumes
18. Manufacture and repair of Bulgarian folk musical instruments
19. Stonemasonry
20. Coppersmiths
21. Wooden utensils, whittling
22. Carpet hand-weaving

II. Other

23. Bell casting
24. Manufacture of blown glass items
25. Glass painting and engraving
26. Manual bookbinding
27. Contemporary musical instruments and accessories
28. Coppersmith (redsmith) and alloys of copper
29. Clocks and watches
30. Engraving
31. Erection of fireplaces, glazed tile heaters
32. Louvre making and mounting
33. Roofing – tiles, drains, chimneys
34. Chimney sweeping
35. Tinker
36. Utensil tinker
37. Blacksmith
38. Well builder
39. Stonemason
40. Sharpening
41. Locksmith
42. Cooper
43. Carting

44. Basketry, mats and brooms
45. Weaving and packed goat hair products
46. Saddler and leather goods
47. Cobbler
48. Milliner
49. Ropemaking
50. Manufacture of boza (millet ale) and other soft sugar drinks, sugar syrup items
51. Vulcanization
52. Bicycle maintenance
53. Tailoring
54. Upholstery
55. Hand-made furnishing and repair
56. Hand-made labelling and advertisement
57. Hair dressing

2

(4)

28/2011)

Annex No.

to Article 21

(Repealed, SG No.