

Bulgarian Personal Documents Act

(Title amended, SG No. 82/2009)

Promulgated, SG No. 93/11.08.1998, effective 1.04.1999, amended and supplemented, SG No. 53/11.06.1999, effective 1.08.1999, SG No. 67/27.07.1999, amended, SG No. 70/6.08.1999, effective 1.01.2000, SG No. 113/28.12.1999, amended and supplemented, SG No. 108/29.12.2000, effective 29.12.2000, SG No. 42/27.04.2001, effective 27.04.2001, SG No. 45/30.04.2002, SG No. 54/31.05.2002, effective 1.12.2002, SG No. 29/31.03.2003, effective 31.03.2003, supplemented, SG No. 63/15.07.2003, amended and supplemented, SG No. 96/29.10.2004, SG No. 103/23.11.2004, effective 23.11.2004, SG No. 111/21.12.2004, supplemented, SG No. 43/20.05.2005, effective 1.09.2005, SG No. 71/30.08.2005, effective 31.10.2005, amended, SG No. 86/28.10.2005, effective 29.04.2006, SG No. 88/4.11.2005, SG No. 105/29.12.2005, effective 1.01.2006, SG No. 30/11.04.2006, effective 12.07.2006, SG No. 82/10.10.2006, amended and supplemented, SG No. 105/22.12.2006, effective 1.01.2007, SG No. 29/6.04.2007, amended, SG No. 46/12.06.2007, effective 1.01.2008, amended and supplemented, SG No. 52/29.06.2007, supplemented, SG No. 66/25.07.2008, effective 26.09.2008, amended and supplemented, SG No. 88/10.10.2008, SG No. 110/30.12.2008, effective 1.01.2009, amended, SG No. 35/12.05.2009, effective 12.05.2009, supplemented, SG No. 47/23.06.2009, effective 1.10.2009, amended and supplemented, SG No. 82/16.10.2009, supplemented, SG No. 102/22.12.2009, amended, SG No. 100/21.12.2010, effective 21.12.2010, supplemented, SG No. 9/28.01.2011, amended, SG No. 23/22.03.2011, effective 22.03.2011; Judgment No. 2 of the Constitutional Court of the Republic of Bulgaria of 31.03.2011 - SG No. 32/19.04.2011; amended, SG No. 55/19.07.2011, amended and supplemented, SG No. 21/13.03.2012, amended, SG No. 42/5.06.2012, amended and supplemented, SG No. 75/2.10.2012, supplemented, SG No. 23/8.03.2013, effective 1.05.2013, SG No. 70/9.08.2013, effective 24.12.2013, amended, SG No. 53/27.06.2014, SG No. 14/20.02.2015, SG No. 79/13.10.2015, effective 1.11.2015, SG No. 80/16.10.2015, effective 16.10.2015, supplemented, SG No. 33/26.04.2016, effective 21.05.2016, SG No. 81/14.10.2016, effective 14.10.2016, amended and supplemented, SG No. 97/6.12.2016

Text in Bulgarian: Закон за българските лични документи

Chapter One

BULGARIAN PERSONAL DOCUMENTS

(Heading amended, SG No. 82/2009)

Section I

General Provisions

Article 1. (1) (Amended, SG No. 82/2009) This Act regulates the terms and the procedure for the issuance, use and custody of Bulgarian personal documents.

(2) (Amended and supplemented, SG No. 54/2002, supplemented, SG No. 111/2004, amended, SG No. 88/2005, amended and supplemented, SG No. 52/2007, amended, SG No. 82/2009) Bulgarian personal documents shall be issued by the Ministry of Interior, the Ministry of Foreign Affairs, the Ministry of Transport, Information Technology and Communications and the Ministry of Defence according to the competence vested therein under this Act.

(3) (Amended, SG No. 82/2009) The refusal to issue Bulgarian personal documents, the withdrawal thereof, as well as the imposition of any other restrictions related to the use and custody thereof, shall be regulated by a law.

(4) (New, SG No. 66/2008, effective 26.09.2008, amended, SG No. 82/2009) The issuance of Bulgarian personal documents may alternatively be effected through official channels in the cases specified by a law.

(5) (New, SG No. 82/2009) Within the meaning given by this Act, Bulgarian personal documents shall be:

1. identity documents;

2. driving licence;

3. residence documents.

Article 2. (Amended, SG No. 82/2009) Bulgarian personal documents shall be property of the State.

Article 3. (Amended, SG No. 108/2000, SG No. 82/2009) (1) Identity documents shall certify the identity and, where necessary, also the citizenship of the holder thereof, through the data contained therein.

(2) The identity of Bulgarian citizens may be certified by substitute documents or by other documents according to the procedure and in the cases specified by a law.

(3) A driving licence shall certify a licensed capacity to operate a motor vehicle, and in respect of Bulgarian citizens, a driving licence shall furthermore certify the identity thereof within the territory of the Republic of Bulgaria, through the data contained therein.

(4) Residence documents shall certify solely the right to residence within the territory of the Republic of Bulgaria.

Article 4. (1) Each Bulgarian national shall be entitled to an identity document.

(2) (Amended, SG No. 82/2009) An alien resident within the territory of the Republic of Bulgaria shall be entitled to an identity document or to a residence document, as well as to a driving licence in the cases specified by a law.

(3) (New, SG No. 82/2009) European Union (EU) citizens, nationals of States which are Contracting Parties to the Agreement on the European Economic Area, nationals of the Swiss Confederation and family members thereof who are not EU citizens, nationals of a State which is a Contracting Party to the Agreement on the European Economic Area or the Swiss Confederation and who, by virtue of international treaties concluded with the EU, have the right to free movement, shall be entitled to a residence document and a driving licence issued in the Republic of Bulgaria according to the procedure and in the cases specified by a law.

(4) (Renumbered from Paragraph (3) and amended, SG No. 82/2009) The competent authorities shall have no right to refuse to issue, to withdraw or to detain a Bulgarian personal document, except according to the procedure and in the cases specified by a law.

Article 5. (Supplemented, SG No. 105/2006, effective 31.10.2007, amended, SG No. 82/2009) For the issuance of Bulgarian personal documents, the persons referred to in Article 4 herein shall appear before the competent authority referred to in Article 1 (2) herein in the cases and according to the procedure specified in this Act.

Article 6. Citizens shall be obligated to certify the identity thereof when so requested by the competent officials designated by a law.

Article 7. (1) (Amended, SG No. 82/2009) Citizens who hold Bulgarian personal documents shall be obligated to exercise care for the prevention of damage, destruction or loss of the said documents.

(2) (Amended, SG No. 108/2000, SG No. 82/2009) Any citizen, who has found a personal document, shall be obligated to deliver the said document to the authorities of the Ministry of Interior.

Article 8. (1) (Amended, SG No. 82/2009) Bulgarian personal documents shall be in the custody of:

1. the persons whereto the said documents have been issued;

2. the parents or tutors of persons under the age of 14 years in whose charge they are;

3. the legal representatives of full interdicts;

4. the officials authorized by a law.

(2) (Amended, SG No. 88/2008, SG No. 82/2009) Upon loss, theft, damage or destruction of a Bulgarian personal document, the holder shall be obligated to declare this within three days at the nearest structural unit of the Ministry of Interior or at the diplomatic missions or consular posts of the Republic of Bulgaria abroad, and in the cases referred to in Article 39a herein, at the Ministry of Defence or at the diplomatic missions and consular posts of the Republic of Bulgaria abroad.

(3) (New, SG No. 88/2008, amended, SG No. 82/2009) In the cases of loss, theft, damage or destruction of a Bulgarian personal document, the holder may submit a declaration regarding these circumstances by electronic means within three days according to a procedure established by an act of the Council of Ministers.

(4) (New, SG No. 54/2002, amended, SG No. 52/2007, renumbered from Paragraph (3), SG No. 88/2008, amended, SG No. 82/2009) Where any declaration referred to in Paragraph (2) refers to an identity document of an alien who has been granted asylum, refugee status or humanitarian status under the Asylum and Refugees Act, the competent service of the Ministry of Interior shall forthwith notify the State Agency for Refugees or the nearest territorial unit thereof.

Article 9. (Amended and supplemented, SG No. 108/2000, SG No. 54/2002, supplemented, SG No. 52/2007, amended, SG No. 82/2009) (1) Upon any change in the names, the Personal Identification Personal Identification Number (the Personal Number/Alien's Personal Number), the sex, the citizenship or upon occurrence of significant and enduring facial changes, the holder shall be obligated to obtain new Bulgarian personal documents within 30 days.

(2) Upon change of the permanent address, the holder shall be obligated to submit an application for the issuance of a new identity card, a residence permit under Items 2 and 4 of Article 59 (2) herein, a refugee card, an asylee alien card and a humanitarian-status alien card within the time limit referred to in Paragraph (1). Upon change of the permanent address from one nucleated settlement to another nucleated settlement, the person shall be obligated to submit an application for the issuance of a new driving licence within 30 days after the issuance of the new document.

(3) Upon issuance of a new Bulgarian personal document, the previous document of the same type shall be returned to the issuing authority.

Article 10. (1) (Redesignated from Article 10 and amended, SG No. 82/2009) Bulgarian personal documents shall be delivered to the issuing authority upon:

1. death of the holder;
2. (supplemented, SG No. 82/2009) loss of Bulgarian citizenship, with the exception of the driving licence;
3. ascertainment that the document is not issued in good and due form;
4. lapse of the grounds for the issuance or use of the said documents;
5. (new, SG No. 82/2009) expiry of the validity thereof.

(2) (New, SG No. 82/2009) The returned Bulgarian personal documents shall be subject to destruction. The terms and procedure for the destruction thereof shall be regulated by an instruction of the competent authority referred to in Article 1 (2) herein.

Article 11. (Amended, SG No. 82/2009) No one shall have the right to give or to accept in pledge, nor use or cede a Bulgarian personal document of another person.

Article 12. (1) Bulgarian citizens holding any identity documents issued by another State shall be obligated to inform in writing the competent Bulgarian authorities within 60 days after acquisition of any such documents.

(2) (Amended, SG No. 108/2000) Bulgarian citizens holding any identity documents issued by the authorities of another State in addition to Bulgarian identity documents shall be obligated to certify the identity thereof by means of the Bulgarian identity documents thereof in their dealings with Bulgarian public institutions.

Section II

Types of Bulgarian Personal Documents (Heading amended, SG No. 82/2009)

Article 13. (1) Bulgarian citizens shall be issued the following identity documents:

1. personal identity card;
2. (supplemented, SG No. 108/2000, SG No. 29/2003, effective 1.10.2003, amended and supplemented, SG No. 111/2004)