

# Constitution of the Republic of Bulgaria

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## Chapter Three NATIONAL ASSEMBLY

**Article 62.** (1) (Previous text of Article 62, SG No. 12/2007) The National Assembly shall exercise legislative power and shall have parliamentary oversight.

(2) (New, SG No. 12/2007) The National Assembly shall have an independent budget.

**Article 63.** The National Assembly shall consist of 240 National Representatives.

**Article 64.** (1) The National Assembly shall be elected for a term of four years.

(2) In the event of war, a state of martial law or another state of emergency which has occurred during the term of the National Assembly or after the expiry thereof, the period of the credentials thereof shall be extended until the lapse of the said circumstances.

(3) Elections of a new National Assembly shall be held within two months after termination of the credentials of the preceding National Assembly.

**Article 65.** (1) Eligibility for the office of National Representative shall be limited to Bulgarian citizens who hold no other citizenship, who have attained the age of 21 years, who are not interdicted, and who do not serve a custodial sentence.

(2) Any candidate for National Representative who has entered civil service shall suspend the performance of the said service upon registration of the candidacy thereof.

**Article 66.** The legitimacy of an election may be disputed before the Constitutional Court according to a procedure established by statute.

**Article 67.** (1) National Representatives shall represent not only the constituents thereof but also the entire people. Assumption of any binding mandate shall be void.

(2) National Representatives shall act in pursuance of the Constitution and the laws in accordance with the dictates of the conscience and convictions thereof.

**Article 68.** (1) National Representatives may not perform any other civil service or carry out any activities which, according to the law, are incompatible with the status of a

National Representative.

(2) Any National Representative, who has been elected government minister, shall suspend the credentials thereof for the duration of the ministership thereof. In such a case, a replacement for the said National Representative shall fill the vacancy according to a procedure established by the law.

**Article 69.** National Representatives shall not incur criminal liability for any opinions expressed or for any vote in the National Assembly.

**Article 70.** (1) (Previous text of Article 70, amended, SG No. 27/2006) A National Representative may not be detained, and criminal prosecution may not be undertaken thereagainst, save for publicly prosecutable offences, and then solely on authorization from the National Assembly or, should the latter be in recess, from the Chairperson of the National Assembly. No authorization for detention shall be required where a National Representative is detained in the act of committing a serious criminal offence, but in such a case the National Assembly or, should the latter be in recess, the Chairperson of the National Assembly, shall be notified forthwith.

(2) (New, SG No. 27/2006) Authorization for undertaking of criminal prosecution shall not be required if the National Representative concerned grants consent in writing.

**Article 71.** National Representatives shall receive compensation whereof the amount shall be fixed by the National Assembly.

**Article 72.** (1) The credentials of a National Representative shall terminate prior to the expiry of the term of office thereof upon:

1. resignation tendered to the National Assembly;
2. entry into effect of a sentence whereby a penal sanction of deprivation of liberty has been imposed for an intentional offence, or where implementation of the penal sanction of deprivation of liberty has not been deferred;
3. establishment of ineligibility or incompatibility;
4. death.

(2) In the cases referred to in Items 1 and 2, the termination of credentials shall require a resolution of the National Assembly, and in the cases referred to in Item 3, the termination of credentials shall require a decision of the Constitutional Court.

**Article 73.** The organization and procedure of the National Assembly shall be implemented in pursuance of the Constitution and of Rules adopted thereby.

**Article 74.** The National Assembly shall be a standing body. It shall have discretion to determine the time during which it shall be not in session.

**Article 75.** A newly elected National Assembly shall be convened to the first sitting thereof by the President of the Republic within one month after the election of the said National Assembly. Should the President fail to convene the National Assembly within the said period, the Assembly shall be convened by one-fifth of the National Representatives.

**Article 76.** (1) The first sitting of the National Assembly shall be opened by the senior National Representative present.

(2) At the first sitting, the National Representatives shall take the following oath of office: "I do swear in the name of the Republic of Bulgaria that I will observe the Constitution and the laws of the land and will be guided in all my actions by the interests of the people. I have sworn to it."

(3) The National Assembly shall elect a Chairperson and Deputy Chairpersons at the same sitting.

**Article 77.** (1) The Chairperson of the National Assembly shall perform the following functions:

1. represent the National Assembly;
2. move a draft agenda for the sittings;
3. open, preside over, and close the sittings of the National Assembly, and ensure that order be maintained at the said sittings;
4. authenticate by the signature therefor the contents of the acts passed by the National Assembly;
5. promulgate the resolutions, declarations, and addresses passed by the National Assembly;
6. organize the international contacts of the National Assembly.

(2) The Deputy Chairpersons of the National Assembly shall assist the Chairperson and shall carry out any activities assigned thereto by the said Chairperson.

**Article 78.** The National Assembly shall be convened to sittings by the Chairperson of the National Assembly:

1. on the Chairperson's own initiative;
2. at the request of one-fifth of the National Representatives;
3. at the request of the President;

4. at the request of the Council of Ministers.

**Article 79.** (1) The National Assembly shall elect standing committees and ad hoc committees from amongst the members thereof.

(2) The standing committees shall assist the activities of the National Assembly and shall exercise parliamentary oversight on its behalf.

(3) Ad hoc committees shall be elected to conduct studies and hold inquiries.

**Article 80.** Officials and citizens, where summoned, shall be obligated to appear before the parliamentary committees and to submit thereto any information and documents as required.

**Article 81.** (1) (Amended, SG No. 12/2007) The National Assembly may open the sittings thereof and pass the acts thereof provided more than one-half of the National Representatives are present.

(2) The National Assembly shall pass the laws and the other acts by a majority of more than one-half of the National Representatives present, unless the Constitution requires a different majority.

(3) The National Representatives shall vote in person and the vote shall be taken by open ballot, except where the Constitution requires, or the National Assembly resolves on, holding a secret ballot.

**Article 82.** The sittings of the National Assembly shall be held in public. By exception, the National Assembly may resolve to hold particular sittings in private.

**Article 83.** (1) The members of the Council of Ministers may attend the sittings of the National Assembly and the meetings of the parliamentary committees. When desiring to speak, they shall enjoy priority in being given a hearing.

(2) The National Assembly and the parliamentary committees may order government ministers to appear at the sittings and meetings thereof and to answer questions addressed thereto.

**Article 84.** The National Assembly shall exercise the following powers:

1. pass, amend, supplement, and repeal the laws;
2. adopt the state budget and the report on the implementation thereof;
3. (amended, SG No. 12/2007) establish the taxes and determine the amount of central-government taxes;
4. schedule elections of President of the Republic;

5. pass a resolution on the holding of a national referendum;
6. elect and release the Prime Minister and, acting on a motion thereby, the Council of Ministers; effect changes in the Government, acting on a motion by the Prime Minister;
7. create, transform and close down ministries, acting on a motion by the Prime Minister;
8. elect and release the heads of the Bulgarian National Bank and of other institutions specified by statute;
9. grant consent to the conclusion of agreements on government loans;
10. resolve on the matters concerning declaration of war and making of peace;
11. authorize the deployment and employment of Bulgarian armed forces abroad, as well as the presence of foreign troops within the national territory or the passage of such troops through the said territory;
12. acting on a motion by the President or by the Council of Ministers, declare a state of martial law or another state of emergency on the entire national territory or on a part thereof;
13. grant amnesty;
14. institute orders and medals;
15. establish the public holidays;
16. (new, SG No. 27/2006, amended, SG No. 12/2007, supplemented, SG No. 100/2015) hear and adopt the annual reports of the Supreme Court of Cassation, of the Supreme Administrative Court and of the Prosecutor General, as submitted by the Supreme Judicial Council, on the application of the law and on the operation of the courts, the prosecuting magistracy and the investigating authorities. The National Assembly may also hear and adopt other reports by the Prosecutor General on the operation of the prosecuting magistracy on the application of the law, counteraction of crime and implementation of penal policy;
17. (new, SG No. 12/2007) hear and adopt reports on the operation of any bodies which are elected in whole or in part by the National Assembly, where this is provided for in statute.

**Article 85.** (1) The National Assembly shall ratify or denounce by statute the international treaties which:

1. are of a political or military nature;
2. concern the participation of the Republic of Bulgaria in international organizations;

3. provide for a modification of the border of the Republic of Bulgaria;
4. impose financial obligations on the State;
5. provide for participation of the State in arbitral or court settlement of international disputes;
6. affect fundamental human rights;
7. affect the operation of the law or require measures of a legislative nature for the performance thereof;
8. expressly require ratification;
9. (new, SG No. 18/2005) grant the European Union powers arising from this Constitution.

(2) (New, SG No. 18/2005) The passage of an act to ratify any international treaty referred to in Item 9 of Paragraph (1) shall require a majority of two-thirds of all National Representatives.

(3) (Renumbered from Paragraph (2), SG No. 18/2005) Any treaties ratified by the National Assembly may be amended or denounced solely according to the procedure specified in the treaties themselves, or in accordance with the universally recognized standards of international law.

(4) (Renumbered from Paragraph (3), SG No. 18/2005) The conclusion of international treaties, which require any amendments to the Constitution, shall be preceded by the passage of the said amendments.

**Article 86.** (1) The National Assembly shall pass laws, resolutions, declarations, and addresses.

(2) The laws and resolutions passed by the National Assembly shall be binding on all state bodies, the organizations, and the citizens.

**Article 87.** (1) The right to initiate legislation shall vest in every National Representative and in the Council of Ministers.

(2) The State Budget Bill shall be drafted and presented by the Council of Ministers.

**Article 88.** (1) Bills shall be debated and passed by two votes taken at separate sittings. By exception, the National Assembly may resolve that both votes be taken at a single sitting.

(2) All other acts of the National Assembly shall be passed by a single vote.

(3) The acts passed shall be promulgated in the State Gazette within 15 days after the passage thereof.

**Article 89.** (1) One-fifth of the National Representatives may propose to the National Assembly to pass a motion of no confidence in the Council of Ministers. To be carried, any such motion shall require the affirmative vote of more than one-half of all National Representatives.

(2) Should the National Assembly pass a motion of no confidence in the Prime Minister or in the Council of Ministers, the Prime Minister shall tender the resignation of the Government.

(3) Should the National Assembly reject a motion of no confidence in the Council of Ministers, a new motion of no confidence on the same grounds may not be entered within the succeeding six months.

**Article 90.** (1) National Representatives shall have the right to address questions and interpellations to the Council of Ministers and to individual government ministers, who shall be obligated to answer.

(2) On a motion seconded by one-fifth of the National Representative, a debate may be held and a resolution may be passed on any interpellation.

**Article 91.** (1) The National Assembly shall establish a National Audit Office which shall exercise control over the implementation of the budget.

(2) The organization, powers, and procedure of operation of the National Audit Office shall be established by statute.

**Article 91a.** (New, SG No. 27/2006) (1) The National Assembly shall elect an Ombudsman, who shall advocate the rights and freedoms of citizens.

(2) The powers and activities of the Ombudsman shall be regulated by statute.