

Act on the National Emergency Call System Employing the Single European Number "112"

Promulgated, SG No. 102/28.11.2008, amended, SG No. 93/24.11.2009, effective 25.12.2009, amended and supplemented, SG No. 88/9.11.2010, effective 1.01.2011, SG No. 51/5.07.2016, effective 5.07.2016

Text in Bulgarian: Закон за Националната система за спешни повиквания с единен европейски номер 112

*Note: An update of the English text of this Act is being prepared following the amendments in SG No. 60/2.08.2016

Chapter One GENERAL PROVISIONS

Article 1. This Act shall determine the structure and functions of the National Emergency Call System Employing the Single European Number "112"; the responsibilities for its establishment, maintenance and development; as well as the rights and obligations of citizens in using the single European emergency call number "112".

Article 2. The National Emergency Call System Employing the Single European Number 112 shall ensure that citizens located in the territory of the Republic of Bulgaria have ongoing, fast and free access to emergency services for assistance in distress situations, with a view to protecting their lives, health, safety and property.

Article 3. (1) The single European number "112" (SEN "112") shall be used when urgent assistance is needed at different risks for citizens' lives, health, safety and property.

(2) The logo of SEN "112" for the territory of the Republic of Bulgaria shall contain the inscription "112" and the flag of the Republic of Bulgaria. The graphic and colour image of the logo shall be in accordance with the appendix.

Article 4. The National Emergency Call System shall comprise the call centres receiving emergency calls to SEN "112", the national emergency services and the interaction between them.

Article 5. The functioning of the National Emergency Call System shall be based on the following principles:

1. continuity of the process of handling emergency calls to SEN "112";
2. promptness and effectiveness in ensuring immediate emergency response for providing assistance;
3. staff professionalism and competence, allowing rapid and precise processing, analysis and classification of emergency calls.

Chapter Two CALL CENTERS FOR EMERGENCY CALLS TO SEN "112"

Section I

Structure and functions of the call centres receiving emergency

calls to SEN "112"

Article 6. (Repealed, SG No. 93/2009, effective 25.12.2009).

Article 7. (Amended, SG No 93/2009, effective 25.12.2009) The centres for receipt of emergency calls to SEN "112", hereinafter referred to as "112" centres, shall be territorial (regional) units of the National "112" System Directorate General of the Ministry of Interior.

Article 8. (Amended, SG No 93/2009, effective 25.12.2009) The "112" centres shall perform the following main functions:

1. receive, register and process all emergency calls to number "112";
2. ensure ongoing access to a communications line;
3. receive and clarify received calls in at least two official languages of the European Union, in addition to the Bulgarian language.
4. analyze the processed information and transmit it to the contact points of the relevant emergency services, as well as to other competent bodies;
5. receive feedback information from the relevant emergency services concerning the completion of their work at the scene of the incident;

6. register, archive and store information regarding all emergency calls;

(2) Upon coordination with the emergency services, the Minister of Interior shall approve a classifier of emergency calls.

Section II

Organization of the operation and main duties of the staff in "112" centres

Article 9. The "112" centres shall operate round-the-clock, with guaranteed receipt of calls and communications with emergency services.

Article 10. (Repealed, SG No. 93/2009, effective 25.12.2009).

Article 11. (Repealed, SG No. 93/2009, effective 25.12.2009).

Article 12. (1) If found, based on the information received, that the call would not require intervention by emergency services, but it is relevant to the functions of the local administration, or territorial units, of ministries or other administrative structures, such information shall be transferred to the respective structure, with a view to taking appropriate action.

(2) The organizations under paragraph (1) shall be provide the respective "112" centre with information concerning:

1. their location, territorial and functional competence;
2. the mode of information receipt from the "112" centre.

(3) (Amended, SG No 93/2009, effective 25.12.2009) Based on the information under paragraph (2), the organizations under paragraph (1) and the Minister of Interior, or an official authorized by the Minister, shall sign cooperation protocols.

Article 13. (Repealed, SG No. 93/2009, effective 25.12.2009).

Article 14. (Repealed, SG No. 93/2009, effective 25.12.2009).

Section III

Register of emergency calls

Article 15. (1) Inbound and outbound calls at "112" centres shall be automatically recorded in an

electronic register of emergency calls.

(2) The data that the operator collects and transmits in connection with calls shall also be recorded in the register under paragraph (1).

(3) (New, SG No. 51/2016, effective 5.07.2016) The electronic register under paragraph (1) is an information fund of the Ministry of Interior.

Article 16. (1) Data contained in the register under Article 15 shall be stored for a three-year retention period, as of the time of information receipt.

(2) Direct access to data contained in the register shall be available for a four-month period, as of the time of information receipt. Direct access shall be available to employees of the "112" centre and to employees of emergency services, who were granted the respective access authorisation, via personal usernames and passwords.

(3) Upon expiry of the term under paragraph (2), the data shall be archived and stored in a special restricted-access room.

(4) Within the term under paragraph (1), the emergency services, as well as judicial bodies, shall be entitled, when necessary, to require data contained in the register in connection with specific incidents.

(5) (Amended, SG No 93/2009, effective 25.12.2009) Upon expiry of the term under paragraph (1), the information shall be destroyed by a commission appointed by the Minister of Interior.

(6) No information requested by a judicial body within the term under paragraph (1) may be destroyed, until its retention is no longer necessary. The judicial body shall notify the "112" centre when the need to retain the requested information expires.

Article 17. Data from the register shall constitute material evidence.

Article 18. (Repealed, SG No. 51/2016, effective 5.07.2016).

Chapter Three

NATIONAL EMERGENCY SERVICES

Article 19. (1) (Amended, SG No 93/2009, effective 25.12.2009) National emergency services shall be the National Medical Coordination Centre, the emergency medical aid centres, the General and Regional Directorates of the Ministry of Interior, the Maritime Administration Executive Agency and the Mountain Rescue Service with the Bulgarian Red Cross.

(2) The national emergency services shall designate the contact points for information exchange with the "112" centres and create workstations therein manned by employees trained to ensure direct, automatic and ongoing communication with the information system of the "112" centres.

Article 20. (1) The employees under Article 19(2) shall receive information from "112" centres; mobilize, without delay, the necessary resources of the respective emergency service; and manage these resources in the course of providing assistance.

(2) The employees shall promptly provide feedback to the respective "112" centre in cases of:

1. taking up of the emergency case;
2. mobilization of the resources, required to render assistance at the scene of the incident;
3. activation of the resources mobilized at the scene of the incident;
4. request for additional assistance at the scene of the incident from other emergency services;
5. completion of the operation by the team dispatched to the scene of the incident;

(3) The information exchange between the "112" centres and the emergency services shall take place via the information and communication system of the National Emergency Call System Employing the Single European Number "112".

Article 21. (1) Administrative structures and other organizations with resources for action in cases of emergency shall be entitled to request connection to the National Emergency Call System.

(2) The terms and procedure for connection of the structures and organizations under paragraph (1) to the National Emergency Call System shall be determined by ordinance of the Council of Ministers.

Chapter Four

ESTABLISHMENT, MAINTENANCE AND DEVELOPMENT OF THE NATIONAL EMERGENCY CALL SYSTEM EMPLOYING SEN "112"

Article 22. The operation of the National Emergency Call System Employing SEN "112" shall be ensured via:

1. the "112" centres;
2. the connectivity among the "112" centres, as well as between the "112" centres and the contact points of the national emergency services;
3. the connectivity of the national emergency services, from the contact points to the resources of the respective service for rendering assistance.

Article 23. (Amended, SG No 93/2009, effective 25.12.2009) The Ministry of Interior shall establish and maintain the "112" centres, organize their activity and promote the availability and usage of SEN "112".

Article 24. (1) The Council of Ministers shall assign the establishment and maintenance of the connectivity, with guaranteed uninterrupted transmission of information and back-up, among the "112" centres, as well among the "112" centres and the contact points of the national emergency services;

(2) Where reservation of connectivity under paragraph (1) is needed, use shall be made of the electronic communication networks and/or services of enterprises offering public electronic communication networks and/or services.

Article 25. (1) (Amended, SG No 93/2009, effective 25.12.2009) The Ministry of Interior and the Ministry of Health shall establish and maintain the connectivity under Article 22, item 3, for their general and regional directorates, respectively, and for the emergency medical aid centres.

(2) The Maritime Administration Executive Agency and the Mountain Rescue Service with the Bulgarian Red Cross shall ensure the connectivity they need, as appropriate in view of the specifics of their activities.

(3) The administrative structures and organizations under Article 21(1) shall establish and maintain the connectivity with the "112" centres, as needed.

Article 26. (Amended, SG No 93/2009, effective 25.12.2009) The Minister of Interior shall draw up and submit, on an annual basis, to the Council of Ministers a report on the activity of the National Emergency Call System Employing SEN "112".

Chapter Five

RIGHTS AND OBLIGATIONS OF CITIZENS

Article 27. Citizens, who are present in the territory of the Republic of Bulgaria, may use free of charge, when in need of urgent assistance, SEN "112", dialable from any telephone set, including public payphones, without use of coins, slugs, cards or other means of payment.

Article 28. (1) (Supplemented, SG No. 88, effective 1.01.2011) It shall be prohibited to use SEN

C112T for unintended purposes, to dial the number automatically from electronic devices and play pre-recorded messages,

(2) When violating the prohibition under paragraph (1), citizens shall be liable to administrative sanctions (types and amounts) as set herein.

Chapter Six CONTROL

Article 29. (Amended, SG No 93/2009, effective 25.12.2009) The control over the implementation of the Act shall be exercised by the Minister of Interior.

Article 30. (1) (Amended, SG No 93/2009, effective 25.12.2009, amended, SG No. 88, effective 1.01.2011) For the purpose of exercising control as per Article 29, the Minister of Interior shall designate, by order, employees of the Ministry of Interior.

(2) The employees under paragraph (1), when exercising their powers, shall be entitled to:

1. conduct checks and, when violations are ascertained, draw up statements as per the procedure of the Administrative Violations and Sanctions Act;

2. check and require documents related to the ascertainment of administrative violations under this Act, including data for identification of citizens who have perpetrated violations under Articles 37, 38 and 39, valid at the time of violation.

Article 31. The employees designated under Article 30 (1), when performing their duties, shall:

1. identify themselves by showing their official identity cards and an order for conducting a check;

2. refrain from disclosing any information that they have become privy to in the course of conducting the checks.

Article 32. (1) The employees designated under Article 30 (1), when having ascertained a violation, shall draw up a statement of administrative violation ascertainment.

(2) (Amended, SG No 93/2009, effective 25.12.2009, SG No. 88, effective 1.01.2011) The penal decree shall be issued by the Director of the National C112T System Directorate General or by the Director of the Regional Directorate of the Ministry of Interior or by officials authorized by them.

Article 33. The ascertainment of violations, as well as the issuance, appeal against, and enforcement of penal decrees, shall be performed as per the procedure of the Administrative Violations and Sanctions Act;

Article 34. (Repealed, SG No. 93/2009, effective 25.12.2009).

Chapter Seven ADMINISTRATIVE SANCTION PROVISIONS

Article 35. Anyone who fails to fulfil an obligation under this Act shall be sanctioned with a fine from BGN 200 to BGN 1,000, or with a property sanction from BGN 300 to BGN 2,000.

Article 36. Any official who fails to fulfil an obligation, assigned to them under this Act, shall be sanctioned with a fine from BGN 200 to BGN 1,000, unless the violator is subject to a more severe penalty.

Article 37. Anyone who uses SEN "112" for unintended purposes shall be sanctioned with a fine from BGN 200 to BGN 1,000.

Article 38. (1) Anyone who transmits, via SEN "112", untrue or misleading SOS messages or signals shall be sanctioned with a fine from BGN 2,000 to BGN 5,000, unless the violator is subject to a more severe penalty.

(2) Where resources of the emergency services would be mobilized in cases under paragraph (1),

the sanction shall include a fine from BGN 10,000 to BGN 20,000, unless the violator is subject to a more severe penalty, as well as compensation for any damages caused to the emergency services.

(3) (New, SG No. 88, effective 1.01.2011) Persons who play re-recorded messages through electronic devices which automatically dial the 112 telephone number shall be sanctioned with a fine in the amount of BGN 1000, unless the violator is subject to a more severe penalty.

Article 39. In case of any recurrent violation under Articles 35, 36, 37 and 38, the respective fine, or property sanction, shall be imposed in doubled amount.

SUPPLEMENTARY PROVISIONS

§ 1. Within the meaning of this Act:

1. "Single European emergency call number "112" (SEN "112") shall denote the single European telephone number designated in the National Numbering Plan that will be used when emergency assistance is needed at different risks for citizens' lives, health, safety and property.

2. "Scene of the incident" shall denote the location where circumstances under paragraph (1) have occurred, or may occur, and emergency assistance must be provided.

3. "Emergency assistance" shall denote the immediate action taken by the emergency services within their capacity, in response to information received from a "112" centre.

4. "Emergency call" shall denote a call to SEN "112".

5. "Contact point" shall denote the location where information is exchanged between the "112" centres and emergency services.

§ 2. This Act shall transpose the requirements of Article 26, paragraphs 2 and 4 of Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive).

TRANSITIONAL AND CONCLUDING PROVISIONS

§ 3. (1) The national emergency call numbers "150", "160" and "166" shall be used in parallel with the single European emergency call number "112".

(2) The Council of Ministers, within one year upon this Act's enforcement, shall adopt a decision stipulating that calls to the telephone numbers under paragraph (1) shall be redirected to the "112" centres.

§ 4. In Article 69 (5) of the Social Insurance Code (promulgated, State Gazette No. 110 of 1999; Constitutional Court Ruling No. 5 of 2000, SG No. 55 of 2000, amended, No. 64 of 2000, Nos 1, 35 and 41 of 2001, Nos 1, 10, 45, 74, 112, 119 and 120 of 2002, Nos 8, 42, 67, 95, 112 and 114 of 2003, Nos 12, 21, 38, 52, 53, 69, 70, 112 and 115 of 2004, Nos 38, 39, 76, 102, 103, 104 and 105 of 2005, Nos 17, 30, 34, 56, 57, 59, and of 2006; corrected, No 76 of 2006; amended, Nos 80, 82, 95, 102 and 105 of 2006, Nos 41, 52, 53, 64, 77, 97, 100, 109 and 113 of 2007 and Nos 33, 43, 67, 69 and 89 of 2008), the phrase "Ministry of State Policy on Disasters and Accidents" shall be replaced by "Ministry of Emergency Situations".

§ 5. In Article 195 (3) of the Criminal Code (promulgated, State Gazette No. 26 of 1968; corrected, No. 29 of 1968; amended, No. 92 of 1969, Nos 26 and 27 of 1973; No. 89 of 1974, No. 95 of 1975, No. 3 of 1977, No. 54 of 1978, No. 89 of 1979, No. 28 of 1982; corrected No. 31 of 1982; amended, No. 44 of 1984, Nos 41 and 79 of 1985; corrected, No. 80 of 1985; amended, No. 89 of 1986; corrected, No. 90 of 1986; amended, Nos 37, 91 and 99 of 1989, Nos 10, 31 and 81 of 1990, Nos 1 and 86 of 1991; corrected, No. 90 of 1991; amended, No. 105 of 1991, No. 54 of 1992, No. 10 of 1993, No. 50 of 1995; Constitutional Court Ruling No. 19 of 1995 - No. 97 of 1995; amended, No. 102 of 1995, No. 107 of 1996, Nos 62 and 85 of 1997; Constitutional Court Ruling No. 19 of 1997 - No. 120 of 1997;

amended, Nos 83, 85, 132, 133 and 153 of 1998, Nos 7, 51 and 81 of 1999, Nos 21 and 51 of 2000; Constitutional Court Ruling No. 14 of 2000 - No. 98 of 2000; amended, Nos 41 and 101 of 2001, Nos 45 and 92 of 2002, Nos 26 and 103 of 2004, Nos 24, 43, 76, 86 and 88 of 2005, Nos 59, 75 and 102 of 2006, Nos 38, 57, 64, 85, 89 and 94 of 2007 and Nos 19 and 67 of 2008), the phrase "Ministry of State Policy on Disasters and Accidents" shall be replaced by "Ministry of Emergency Situations".

§ 6. In Article 89e (4), item 3, of the Carriage by Road Act (promulgated, State Gazette No. 82 of 1999; amended, Nos 11 and 45 of 2002, No. 99 of 2003, No. 70 of 2004, Nos 88, 92, 95, 102, 103 and 105 of 2005, Nos 30, 85, 92 and 102 of 2006 and Nos 42, 80 and 109 of 2007), the phrase "Ministry of State Policy on Disasters and Accidents" shall be replaced by "Ministry of Emergency Situations".

§ 7. Throughout the Road Traffic Act (promulgated, State Gazette No. 20 of 1999; amended, No. 1 of 2000, Nos 43 and 76 of 2002, Nos 16 and 22 of 2003, Nos 6, 70, 85 and 115 of 2004, Nos 79, 92, 99, 102, 103 and 105 of 2005, Nos 30, 34, 61, 64, 80, 82, 85 and 102 of 2006, Nos 22, 51, 53, 97 and 109 of 2007, Nos 36, 43, 69 and 88 of 2008), the phrase "Ministry of State Policy on Disasters and Accidents" shall be replaced by "Ministry of Emergency Situations".

§ 8. Throughout the 2008 State Budget of the Republic of Bulgaria Act (promulgated, State Gazette No. 113 of 2007), the phrases "the Ministry of State Policy on Disasters and Accidents", "Ministry of State Policy on Disasters and Accidents" and "the Minister of State Policy on Disasters and Accidents" shall be replaced by "the Ministry of Emergency Situations", "Ministry of Emergency Situations" and "the Minister of Emergency Situations", respectively.

§ 9. Throughout the Mandatory Stocks of Crude Oil and Petroleum Products Act (promulgated, State Gazette No. 9 of 2003; amended, No. 107 of 2003, Nos 95 and 105 of 2005, Nos 30 and 82 of 2006, No. 109 of 2007 and No. 69 of 2008), the phrases "Minister of State Policy on Disasters and Accidents" and "the Minister of State Policy on Disasters and Accidents" shall be replaced by "Minister of Emergency Situations" and "the Minister of Emergency Situations", respectively.

§ 10. Throughout the Disaster Relief Act (promulgated, State Gazette No. 102 of 2006; amended, Nos 41 and 113 of 2007 and No. 69 of 2008), the phrases "the Ministry of State Policy on Disasters and Accidents", "Ministry of State Policy on Disasters and Accidents", "the Minister of State Policy on Disasters and Accidents" and "Minister of State Policy on Disasters and Accidents" shall be replaced by "the Ministry of Emergency Situations", "Ministry of Emergency Situations", "the Minister of Emergency Situations" and "Minister of Emergency Situations", respectively.

§ 11. In Article 114 (2) of the Health Act (promulgated, State Gazette No. 70 of 2004; amended, Nos 46, 76, 85, 88, 94 and 103 of 2005, Nos 18, 30, 34, 59, 71, 75, 80, 81, 95 and 102 of 2006, Nos 31, 41, 46, 53, 59, 82 and 95 of 2007, and No. 13 of 2008), the phrase "the Ministry of State Policy on Disasters and Accidents" shall be replaced by "the Ministry of Emergency Situations".

§ 12. Throughout the Health and Safety at Work Act (promulgated, State Gazette No. 124 of 1997; amended, No. 86 of 1999, Nos 64 and 92 of 2000, Nos 25 and 11 of 2001, Nos 18 and 114 of 2003, No. 70 of 2004, No. 76 of 2005, Nos 33, 48, 102 and 105 of 2006, and No. 40 of 2007), the phrases "the Ministry of State Policy on Disasters and Accidents" and "the Minister of State Policy on Disasters and Accidents" shall be replaced by "the Ministry of Emergency Situations" and "the Minister of Emergency Situations", respectively.

§ 13. Throughout the Republic of Bulgaria Defence and Armed Forces Act (promulgated, State Gazette No. 112 of 1995; amended, No. 67 of 1996, No. 122 of 1997, Nos 70, 93, 152 and 153 of 1998, Nos 12, 67 and 69 of 1999, Nos 49 and 64 of 2000, Nos 25 and 34 of 2001, Nos 1, 40, 45 and 119 of 2002, No. 50, 86, 95 and 112 of 2003, Nos 93 and 111 of 2004, Nos 27, 38, 76, 88, 102 and 105 of 2005, Nos 30, 36, 56, 82, 91 and 102 of 2006, Nos 11, 41, 46 and 59 of 2007; Constitutional Court Ruling No. 9 of 2007 - No. 68 of 2007; amended, Nos 89 and 109 of 2007, No. 13 of 2008; Constitutional Court Ruling No. 2 of 2008 - No. 28 of 2008; amended, Nos 36 and 43 of 2008), the phrases "the Minister of State Policy on Disasters and Accidents" and "Minister of State Policy on Disasters and Accidents" shall be replaced by "the Minister of Emergency Situations" and "Minister of Emergency Situations", respectively.

§ 14. In Article 18(1), item 3, of the Water Supply and Sewerage Services Regulation Act (promulgated, State Gazette No. 18 of 2005; amended, Nos 30, 65 and 102 of 2006), the phrases "the Minister of State Policy on Disasters and Accidents" shall be replaced by "the Minister of Emergency Situations".

§ 15. In Article 58(2), item 4, of the Crisis Management Act (promulgated, State Gazette No. 19 of 2005; amended, Nos 17, 30 and 102 of 2006, and 11, 41 and 78 of 2007), the phrase "the Ministry of State Policy on Disasters and Accidents" shall be replaced by "the Ministry of Emergency Situations".

§ 16. In Article 169 (5) of the Spatial Development Act (promulgated, State Gazette No. 1 of 2001; amended, Nos 41 and 111 of 2001, No. 43 of 2002, Nos 20, 65 and 107 of 2003, Nos 36 and 65 of 2004, Nos 28, 76, 77, 88, 94, 95, 103 and 105 of 2005, Nos 29, 30, 34, 37, 65, 76, 79, 80, 82, 106 and 108 of 2006, Nos 41, 53 and 61 of 2007, and No. 33, 43, 54, 69 and 98 of 2008), the phrase "the Minister of State Policy on Disasters and Accidents" shall be replaced by "the Minister of Emergency Situations".

§ 17. The acts on the implementation of this Act for which No. deadline has been set shall be adopted within 6 months upon this Act's enforcement.

This Act was adopted by the 40th National Assembly, on 14 November 2008, and the official seal of the National Assembly was affixed to it.

TRANSITIONAL AND CONCLUDING PROVISIONS

to the Act, Amending and Supplementing the Ministry of Interior Act
(SG No. 88/2010, effective 9.11.2010)

.....
§ 112. The following amendments and supplements shall be made to the Act on the National Emergency Call System Employing the Single European Number "112" (promulgated, SG No. 102/2008, amended, SG No. 93/2009):

.....
§ 117. The Act shall become effective from the day of its promulgation in the State Gazette, except § 1 - 23, § 25, § 27 - 30, § 32 - 34, § 40, § 41, § 43 - 55, § 63 - 89 and § 91 - 114, which shall become effective from 1.01.2011.

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Appendix
to Article 3(2)

