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National legislation

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Bulgaria

Bulgaria



This page presents information on the Bulgarian legal system and an overview of Bulgarian law.

Sources of law

National sources of law

Sources of law include:

- the [Constitution of the Republic of Bulgaria](#) (Promulgated in SG 56/13 July 1991, amended in SG 85/26 September 2003, SG 18/25 February 2005, SG 27/31 March 2006, SG 78/26 September 2006 - Constitutional Court Decision No 7/2006, SG 12/6 February 2007, SG 100/18 December 2015 [DB1]);
- primary legislation; and
- secondary legislation.

Case law is not a formal source of law, but it is binding on the law enforcement authorities.

European and international sources of law

Written instruments include the Constitution of the Republic of Bulgaria, international treaties, laws and secondary legislation (decrees, regulations, implementing rules, instructions and orders).

The Constitution of the Republic of Bulgaria (*Konstitutsiata na Republika Balgaria*) is the highest-ranking legal act. It establishes the organisation, principles, powers and duties of state institutions, as well as the rights and duties of citizens.

A law (*zakon*) is a normative act regulating societal relations *ab initio* or under the Constitution through settled arrangements enacted, depending on the subject matter or persons concerned, by one or more legislative bodies or subdivisions thereof.

All legislative acts are promulgated and enter into force three days after the date of their publication, unless the acts themselves provide otherwise.

The Council of Ministers issues a decree (*postanovlenie*) when it adopts implementing rules, regulations or instructions, and when it regulates, in accordance with laws, for societal arrangements not regulated by those laws within its executive and administrative remit.

Implementing rules (*pravilnik*) are normative acts issued to implement a law in its entirety. They provide for the organisation of state and local bodies or for the internal order of their activities.

A regulation (*naredba*) is a normative act issued to implement certain provisions or other sections of a higher-ranking normative act.

An instruction (*instruktsia*) is a normative act whereby a higher body gives instructions to subordinate bodies

concerning the implementation of a normative act that it has issued or is required to enforce.

Other non-written sources of law, such as legal custom (*pravniyat obichay*) and general principles of law (*obshtite printsipi na pravoto*), are also important.

The interpretative decisions of the supreme courts can be regarded as a subsidiary source of law.

The Constitutional Court (*Konstitutsionen sad*) acts by means of decisions, rulings and orders.

The Court rules on the substance of a case by means of a decision.

Decisions of the Court are promulgated in the State Gazette within 15 days of the date on which they are issued and enter into force three days after their promulgation.

Hierarchy of norms

The Constitution of the Republic of Bulgaria is the supreme law. The supremacy of EU law is not specifically established in the Constitution, but it is considered superior to national law.

According to Article 5(4) of the Constitution, international treaties that have been ratified in accordance with the constitutional procedure, have been promulgated and have entered into force in the Republic of Bulgaria become part of the legislation of the state. They take precedence over any conflicting provision of domestic legislation.

The next highest-ranking normative acts are laws. The executive enacts secondary legislation such as decrees, regulations, decisions, implementing rules, instructions and orders.

Institutional framework

Institutions responsible for the adoption of legal rules

The [National Assembly](#) (*Narodno sabranie*) is vested with legislative authority. It can pass, amend, supplement and repeal laws.

On the basis of laws and in order to implement them, the [Council of Ministers](#) (*Ministerski savet*) adopts decrees, orders and decisions. By means of decrees, the Council of Ministers also adopts implementing rules and regulations.

The Ministers issue implementing rules, regulations, instructions and orders.

The Council of Ministers concludes international treaties when authorised to do so by law. The National Assembly ratifies (or rejects) international treaties that:

- are of a political or military nature;
- concern the Republic of Bulgaria's participation in international organisations;
- provide for adjustments to the borders of the Republic of Bulgaria;
- impose financial obligations on the state;
- provide for the state's participation in international arbitration or legal proceedings;
- concern fundamental human rights;
- concern the effect of the law or require new legislation in order to be enforced;
- expressly require ratification;
- confer on the European Union powers ensuing from the Constitution.

Legislative process

Adoption of the Constitution

A new Constitution is adopted by a Grand National Assembly (*Veliko narodno sabranie*) consisting of 400 members.

The National Assembly is free to amend any provisions of the Constitution other than those that fall under the

prerogative of the Grand National Assembly. A constitutional amendment requires a majority of three-quarters of the votes of all members of the National Assembly in three ballots on three different days. A constitutional amendment is signed and promulgated in the State Gazette by the President of the Grand National Assembly within seven days of being passed.

Legislative initiative

Pursuant to Article 87 of the Constitution, any member of the National Assembly or the Council of Ministers has the right to introduce a bill.

A bill is adopted by the National Assembly in two readings. During the first reading, the bill is debated in its entirety. Members may submit written motions to amend a bill that has been adopted at first reading within the time-limit specified by the National Assembly. The National Assembly debates the bill in detail and adopts it at the second reading. The adopted bill is sent to the President of the Republic of Bulgaria, who signs a decree for its promulgation. The act is promulgated in the State Gazette and enters into force three days after its publication, unless the act provides otherwise.

Legal databases

The State Gazette (*Darzhaven vestnik*) is available free of charge on the [State Gazette](#) website. The online edition contains bills promulgated by the National Assembly, decrees issued by the Council of Ministers, international treaties, other legal acts, public procurement and concession notices, etc.

Commercial legal databases such as [Apis](#), [Ciela](#) and the [Juridical Encyclopaedia](#) offer a full range of legal information but are not free of charge.

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