**INTERNAL RULES**

**to provide access to public information, which shall be established or stored by**

**the Central Register of Special Pledges**

**Section I**

**General**

Art. 1. (1) The Internal Rules for granting access to public information which shall be established or stored in the Central Register of Special Pledges, including at the local register offices in the country, shall be governed by:

1. the reception and registration of applications and oral enquiries for access to public information;

2. the examination of applications for access to public information;

3. the preparation of decisions on the granting or refusal to grant the public information.

(2) The provision of access to public information shall be subject to the provisions of the Access to Public Information Act.

Art. 2. The activity of accepting, registering and granting access is to be coordinated and controlled by the Secretary-General of the Central Register of Special Pledges.

**Section II**

**Request for access to public information**

Art. 3. (1) Access to public information shall be granted by the Central Register of Special Pledges on the basis of the written application form according to Appendix No 1 or oral inquiry.

(2) The application shall also be deemed to be in writing in cases where it is made by electronic

provided that:

1. the application is sent by e-mail to croz@justice.government.bg;

2. the electronic message and the application are signed with an electronic signature according to the Electronic Document and Electronic Signature Act;

3. the application shall contain:

(a) the full names, the name and registered office of the applicant;

(b) a description of the information requested;

(c) the preferred form for granting access to the requested information;

(d) address for correspondence with the applicant.

(3) Where the applicant considers that the information provided to him requested on the basis of an oral inquiry is insufficient, may submit a written application.

Art. 4. The Central Register of Special Pledges shall provide access to public information in the following forms:

1. review of information – original or copy;

2. oral reference;

3. paper copy;

4. a copy on a technical medium.

Art. 5. (1) Access to public information shall be free of charge.

(2) Access to public information shall be granted upon presentation of a payment document of expenditure paid as follows:

1. floppy disk – 1 pc. –1.20 BGN;

2. PC 1 pcs. - 5.00 BGN;

3. printing - one page /A4/ - 0.12 BGN;

4. xerocopy - one page /A4/ - 0.09 BGN;

5. fax - one page /A4/ - 0.60 BGN;

6. written reference – one page /A4/ - 1. 59 BGN;

7. e-mail – 1 MV – 0.30 BGN

(3) The payment of the expenses due shall be made in cash at the cash desk of the Central Register of Special Pledges after access to public information.

(4) In the event of amendments to the requirements laid down by the Minister of Finance regulations, the Head of the Financial And Accounting and Business Department proposes to updating the costs due under para. 2.

**Section III**

**Acceptance, registration and allocation of applications for access to public**

Information

Art. 6. (1) Written applications for access to public information shall be submitted in accordance with

the registry of the Central Register of Special Pledges, where the template application is provided on paper media.

(2) For the acceptance of oral enquiries, a protocol shall be drawn up on a Annex 2. The protocol signed by the applicant and by an official in the registry shall be registered in accordance with para. 1.

Art. 7. (1) When registering applications for access to public information registration index approved by the Director of the Central Register of Special Pledges with the Nomenclature of registration indices in the Central Register of Special Pledges.

(2) Any additional received or created in connection with an already registered application documents shall bear the registration number of the application and the date of their entry.

Art. 8. (1) On the day of registration, the registry shall transmit the application to the registrar for a resolution to the Head of the Administrative Unit from whose competence is the information requested.

(2) Written applications received shall be left unatted where they do not contain:

1. the full names, the name and registered office of the applicant;

2. a description of the requested information;

3. address for correspondence with the applicant.

**Section IV**

**Examination of applications and preparation of decisions on access to public Information**

Art. 9. (1) No later than 5 days from the date of registration of the application, the director designated by resolution under Art. 8, para. 1 draw up a reasoned opinion on the refusal of access to public information.

(2) Within 7 days of the registration of the application, the Director of the Directorate and whether the file has been resolated to several directorates – the Summary Directorate, shall submit to the director of the Central Register of Special Pledges through the Secretary General a draft decision on access to the public information.

(3) If there is a reason for refusal to provide information pursuant to Art. 37 of the Access to Public Information Act or, in case of suspected existence, the persons under para. 2 within 3 days of

receipt of the application together with the Central Register of Special Pledges’s legal adviser shall draw up a draft decision under Art. 28, para. 2 of the Access to Public Information Act.

(4) The draft decision drawn up shall be agreed by the Secretary-General and director of the Central Register of Special Pledges.

Art. 10. (1) Written applications for access to public information shall be considered within 14 days of the date of their registration.

(2) Within the period under para. 1, the Director of the Central Register of Special Pledges shall decide to grant or refuse to provide access to public information on the basis of a proposal submitted by the made in accordance with Art. 9 of the rules.

Art. 11. (1) In cases where it is not clear exactly what information is requested or is formulated very generally, the applicant shall be informed of the specification of the subject matter of the information requested by letter sent by post with receipt.

(2) The term under Art. 10, para. 1 shall begin to run from the date of specification of the subject matter of the the public information requested.

(3) If the applicant does not specify the subject matter of the requested information within 30 days of receipt of the letter under para. 1, the application shall be left without examination.

Art. 12. (1) The term under Art. 10, para. 1 may be extended by no more than 10 days, where the requested information is in a large volume and additional time is needed to its preparation.

(2) For the extension of the period under para. 1 and the reasons for the extension of the applicant shall be notified in writing.

Art. 13. (1) The term under Art. 10, para. 1 may be extended, but by no more than 14 days, where the requested public information relates to a third party and it is necessary to explicit consent to its provision.

(2) Within 7 days of the registration of the application, the explicit written consent of the third party to provide the requested information.

(3) Where no consent has been obtained within the period under para. 1 or in the event of an explicit refusal to consent, the requested public information shall be provided in a volume and in such a way as not to information relating to the third party.

(4) In the decision under Art. 10, para. 2 the conditions under which the third party consent to the provision of the relevant information.

(5). No consent is requested from the third party where it is an obliged entity under the Access to Public Information Act and information relating to it is public information.

Art. 14. Where the Central Register of Special Pledges does not have the public information requested by the applicant, but there is data on its location, the application shall be forwarded to the 14-period of time from its registration, of which the applicant shall be notified in writing, receipt. The notification shall necessarily indicate the name of the address of the body or legal person concerned.

Art. 15. Where the Central Register of Special Pledges does not have the requested public information and does not have details of its location within 14 days of receipt of the written information application, the applicant shall be notified in writing.

Art. 16. The directors of the directorates to which the application for access to the public information is resolated, sign the correspondence in the course of the procedure for the provision of public information, including that under Art. 11-15 of current rules.

Art. 17. (1) In the decision under Art. 28, para. 2 of the Access to Public Information Act, which provides access to information requested must indicate:

1. the degree of access provided to the requested public information;

2. the period within which access to the requested public information is ensured, may not be less than 30 days from the date of receipt of the decision;

3. the place where access to the requested public information will be granted;

4. the form in which access to the requested public information will be granted;

5. the costs of providing access to the requested public information.

(2) The Decision may include other bodies, organisations or persons responsible for with more complete information.

(3) The decision refusing to grant access to public information shall take into legal and factual grounds for refusal under the Access to Public Information Act, the date of adoption of the decision and the procedure for its appeal.

Art. 18. The decision to grant or refuse access to a public service information shall be served on the applicant in the registry against signature or sent to the receipt.

Art. 19. (1) Access to public information shall be granted after payment of the costs and presentation of a payment document.

(2) For the provision of access to public information, a protocol shall be drawn up signed by the applicant and by the relevant official who provided the information.

Art. 20. The information shall be provided in the form requested by the applicant, except in cases under Art. 27 of the AADs, in one of the following ways:

1. in person - in the building of the Central Register Office in Sofia, for which a protocol is drawn up on a model Appendix No 3, signed by the applicant and by a clerk of the registry.

2. by post – by letter of receipt, where the applicant has requested in writing information to be sent to him by post, and there is an attached document on the paid expenditure determined by the decision to grant.

Art. 21. Information located in a territorial unit of the General Directorate "Central Register Office and Local Registry Offices" – local registry office, shall be provided in accordance with these rules, and the protocol under Art. 20, item 1 shall be signed by the the employee providing it.

Art. 22. In the case of no-show to the applicant in the procedure laid down in Art. 17, para. 1, item 2 of current rules or where it does not pay the specified costs, there is a refusal of the applicant from the access granted to him or her to the requested public information.

**Section V**

**File for access to public information and accountability**

Art. 23. On each application received, the Directorate concerned shall draw up a dossier contains the application, the correspondence kept in the course of the procedure, the decision under Art. 28, para. 2 of the Access to Public Information Act and the documents under Art. 4 of the rules.

Art. 24. The files under Art. 23 shall be stored and transmitted for archiving in accordance with rules in force in the Central Register of Special Pledges.

Art. 25. (1) The General Director/Director of a Directorate shall include in the quarterly reports on the activities of the Unit, information on the applications submitted, the refusals of access to public information, as well as the reasons for the refusals.

(2) The Secretary-General shall draw up an annual report on the applications for access information, which shall also include details of the refusals made and the reasons for the for this.

(3) The annual report shall be part of the annual reports under Art. 62, para. 1 of the Law on Administration.

Final provisions

§ 1. These rules shall be issued on the basis of Art. 21 of the Access to Public Information.

§ 2. The current internal rules have been approved by the Director of the Central Register of Special Pledges with Order No. 92 of 28.07.2008.

**Annex No 1**

**to Art. 3, para 1**

**APPLICATION FOR ACCESS TO PUBLIC INFORMATION**

From ……………………………………………………………………...............

(full names or name and registered office of the applicant)

Address: ……………………………………………………………………...............

telephone number: ……………………………………………………………………...............

HONOURABLE MADAM / DIRECTOR,

On the basis of the Access to Public Information Act, please inform me of the

the following information is provided:

…………………………………………………………………….............................................

(description of the information requested)

I would like to receive the requested information in the following form:

1. View the information – original or copy;

2. Oral reference;

3. Paper copies (printing, xeroscope);

4. Copies of technical media - (floppy disk, CD, fax, e-mail).

(please underline your preferred form)

Date …………………………………………………………

Signature………………………………………………..

**Annex No 2**

**to Art. 6, para. 2**

**PROTOCOL FOR THE ADOPTION OF AN ORAL APPLICATION FOR ACCESS TO**

**PUBLIC INFORMATION**

Today, …………………………………………………………………………………………………………….

(date; employee's name)

………………………………………………………………………………………………………………….…….

………………………………………………………………………………………………………………….…….

………………………………………………………………………………………………………………….…….

(position, directorate, department)

adopted by Mr/Mrs ……………………………………………………………………………………..

………………………………………………………………………………………………………………….…….

………………………………………………………………………………………………………………….…….

………………………………………………………………………………………………………………….…….

………………………………………………………………………………………………………………….…….

(full names or name and registered office of the applicant)

address for Correspondence ………………………………………………………………….…….

phone, e-mail, …………………………………………..…………………………………………….…….

APPLICATION FOR ACCESS TO PUBLIC INFORMATION

………………………………………………………………………………………………………………….…….

………………………………………………………………………………………………………………….…….

(Description of the information requested )

I would like to receive the requested information in the following form:

(please underline your preferred form)

1. Overview of the information - original or copy;

2. Oral reference;

3. Paper copy;

4. Copies of technical media (floppy disk, CD, fax, e-mail)

5. Combination of shapes.

THIS PROTOCOL SHALL BE DRAWN UP IN DUPLICATE:

ONE FOR THE Central Register of Special Pledges AND FOR THE APPLICANT.

Applicant: ………………………………………………..

Employee:………………………………………………….

Annex No 3

to Art. 20, item 1

**PROTOCOL FOR THE PROVISION OF ACCESS TO PUBLIC INFORMATION**

To ..............................................................................................................

on application with input number № .............................

Today, ................................................., this Protocol is drawn up on the basis of Art. 35 para. 2 of the Access to Public Information Act and Article 20, item 1 of the Internal Rules for the provision of access to public information, which is established or stored in the Central Register of Special Pledges,

certifying the implementation of Decision № ................................. on the granting of access.

Once it has been established that the amount referred to in point (s) ....................... of the decision granting the access to public information/for the provision of re-use information is paid for by a payment document ................................................ to the applicant ………………………………………………..(the full names, name and registered office of the legal person respectively and the the full names of his representative)

address for correspondence …………………………..

was made available ……………………………………………………………………………………………………………………………..

…………………………………………………………………………………………………………………………………………………………….

(indicate the information and format for its provision)

This Protocol is drawn up in two identical copies, one for the Central Register of Special Pledges and for the Applicant.

**Deliver:** ............................... **Receiver:** ............................

|  |  |
| --- | --- |
| *Name and position of the employee*.....................................................  | *Applicant*:.................................... |

Authorised person: ……………………………………………………………………………………………………….

Power of Attorney No. ………………………………………………………………………………………………….

Issued by ...........................................................................................................................

entered under No. ......................................................

in the Register of Notary chamber