

EXCEPTIONS UNDER ARTICLE 13(3) OF THE LOBBYING TRANSPARENCY ACT

In accordance with Article 13 (3) of the ZPIP, the following are not subject to entry in the Register, even if they fulfil one of the conditions set out in paragraph 1:

1. persons practising the profession of lawyer within the meaning of Article 24 (1) of the Bar Act in the exercise of that profession, because they exercise constitutionally guaranteed rights under Article 134 (1) of the Constitution;

2. the representative bodies of professional organisations established by law when they express the interests of their members or exercise their powers provided for by law, as their right and duty to assert the rights and legitimate interests of their members is regulated by law.

3. participants in working groups and advisory councils set up by state bodies, as well as in hearings organised by the National Assembly or by an executive or local government body, because they are invited for an expert opinion by a state body and do not act on their own initiative and under the conditions of Article 13 (1) of the Act. In this case, Article 11 of the Act applies.¹

4. persons who participate in consultative or representative bodies established by a legal act governing the participation criteria, for their participation in the activities of those bodies, since a legal act clearly defines whose interests they represent in publicly recognised and institutionalised procedures.

5. persons who, following a documented invitation from a body referred to in Article 5, provide information or an expert opinion because they have been invited for an expert opinion by a state authority and do not act on their own initiative and under the conditions of Article 13 (1) of the Act. In this case, Article 11 of the Act applies.

6. political parties acting within the functions assigned to them by the Constitution and laws, because they exercise constitutionally guaranteed rights under Article 11 (3) of the Constitution.

7. registered employees' associations, when they act to protect their interests in the field of labour and social security, because they implement constitutionally guaranteed rights under Article 49 (1) of the Constitution.

¹ Article 11 As a manifestation of the principles of transparency, good faith and integrity in the preparation of a draft act under Article 3 (1):

1. participants in working groups and advisory councils who are not employees of the institutions referred to in Article 5 shall be required to declare what interests they represent and to indicate any links, including for the year preceding the date of their first participation, with persons with an interest in the matter under consideration; the existence of links, as well as the interests represented, shall not constitute grounds for recusal or recusal of a member of a working group;

2. in hearings organised by the National Assembly, an executive body or a local government body in which participation is documented, participants who are not employees of the institutions referred to in Article 5 shall be obliged to declare what interests they represent and to indicate any links, including past links referred to in point 1, with persons with an interest in the matter under consideration.

8. registered employers' organisations acting to protect the business interests of their members because they implement constitutionally guaranteed rights under Article 49 (2) of the Constitution.

9. citizens exercising the right to meetings, rallies and manifestations within the meaning of the Act on Meetings, Rallies and Manifestations because they exercise constitutionally guaranteed rights under Article 43 (1) of the Constitution.

10. citizens exercising activities under the Direct Participation of Citizens in State and Local Self-Government Act because they implement constitutionally guaranteed rights under Article 10 of the Constitution.

11. the representatives of the media in the course of their activities of collecting, disseminating or analysing information and news, because they exercise constitutionally guaranteed rights under Article 40 (1) in conjunction with Article 41 (1) of the Constitution.

12. representatives of registered religious communities and institutions carrying out activities related to the exercise of the right of religion, because they implement constitutionally guaranteed rights under Article 13 (1) in conjunction with Article 37 (1) of the Constitution.

13. organisations subsidised from the State or municipal budget – only² in contacts with the bodies and persons referred to in Article 5, related to the determination, modification or receipt of a subsidy from the budget, as only the financial interest of the organisation concerned is affected.

14. diplomatic and consular representatives of foreign countries, foreign public authorities, public international organisations and staff of diplomatic and consular representations pursuant to the Vienna Convention on Diplomatic Relations and other international treaties in force in the Republic of Bulgaria.

² In practice, these are so-called community centres.