

# Annex B. Measures Reported for Transparency under the National Treatment Instrument

## A. Measures Reported for Transparency at the Level of National Government

### I. Measures based on public order and essential security considerations

#### a) Investment by established foreign-controlled enterprises

The following activities are reserved to Bulgarian companies and companies incorporated in the EU/EEA and Switzerland:

- Fire safety of facilities and/or maintenance and servicing of devices, systems and installations related to fire safety, such as firefighting, firefighting maintenance.
- Activities in connection with the manufacturing, trading, acquisition, safe-keeping, carrying and use, transportation, import, export and transit, repair, discarding, destruction and utilisation of explosives, weapons, ammunition and pyrotechnical products.
- Activities related to the export, import, transfer, transport, passage, carriage and transit of defence-related products and dual-use items import, brokering services with defence-related products and dual-use items and the control over such activities.
- Private security activities.

Authority: Ministry of Interior Act, Article 129; Weapons, Ammunition, Explosives and Pyrotechnical Products Act; Defence-Related Products and Dual – Use Items and Technologies Export Control Act of 2011 Law on Private Security Activities.

### II. Other measures reported for transparency

#### a) Investment by established foreign-controlled enterprises

None.

#### b) Corporate organisation

**Air transport:** Airlines and companies for the management and operation of civilian airports in Bulgaria must be controlled, directly or indirectly by EU/EEA Member States or EU/EEA nationals; this is, more than half of the members of the managing body of the company or those otherwise exercising decisive influence on the process of making decisions relevant to the operation of the company.

Authority: Civil Aviation Act, Article 48c.

**Maritime and inland waterways transport:** companies must employ ship crew consisting of qualified seafarers, of which Bulgarian citizens must account for minimum 25% of the management and operational functions and 25% of the support level functions. In addition, the master and the chief engineer of a vessel must be Bulgarian citizens or citizens of the EU/EEA or Switzerland.

Authority: Shipping Merchant Code, Article 88.

**Private security services:** persons working as security guards or security guard manager must be citizens of Bulgaria, EU/EEA or Switzerland.

Authority: Law on Private Security Activities, Article 50.

**Banking and private pension:** At least one of the two required managers of a bank and of a private pension company providing services in Bulgaria must be fluent in Bulgarian language.

Authorities: Law on Credit Institutions, Article 10(1); Social Insurance Code, Article 121f.

### *c) Government purchasing*

None.

### *d) Official aids and subsidies*

None.

## **B. Measures reported for transparency at the level of territorial subdivisions**

None.

## **C. Activities covered by public, private, mixed monopolies or concessions**

### *At the level of national government*

#### *I. Public monopolies*

- Bulgargaz EAD
- Bulgartransgaz EAD
- Electricity System Operator EAD
- National Railway Infrastructure Company (NRIC)
- Independent Bulgarian Energy Exchange EAD
- National Electricity Company EAD
- State Enterprise radioactive waste (SERAW)
- National Health Insurance Fund.

#### *II. Private or mixed (public/private) monopolies*

None.

#### *III. Concessions*

- Mining
- Wood-processing
- Transport
- Mineral water extraction
- Port Administration

- Airport administration
- Exploitation of protected areas.

*At the level of territorial subdivisions*

None.



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