

**ORDINANCE № 42 OF 3 NOVEMBER 2010 ON THE BUILDING UP AND  
MAINTENANCE OF AN INFORMATION SYSTEM FOR RISK ASSESSMENT,  
MANAGEMENT AND CONTROL, INCLUDING FOR THE ISSUANCE OF  
POLICIES UNDER THE OBLIGATORY INSURANCES  
ACCORDING TO ART. 429, ITEM 1 OF THE INSURANCE CODE**

*Issued by the Financial Supervision Commission*

*Prom. SG, iss. 90 of 16 November, 2010*

**Chapter One  
GENERAL PROVISIONS**

**Art. 1.** This Ordinance regulates the requirements to the insurers' information systems and their operational compatibility with the information systems, registers and databases, created and maintained by the Information Center with the Guarantee Fund (hereinafter referred to as "Information Center").

**Art. 2.** The Ordinance also regulates the requirements to the issue and reporting of the contracts for the obligatory Third Party Liability insurance of motorists, the contracts for border insurance and Green Card certificates (hereinafter referred to as the "contracts").

**Chapter Two  
REQUIREMENTS**

**Section I.  
Requirements to the insurers' information systems**

**Art. 3.** (1) The insurers shall adapt their information systems to these of the Information Center, in order to guarantee the effective application of the possibility for accurate assessment, management and control of all inherent risks, factors and circumstances, characteristic for the insurers under Art. 2.

(2) Every insurer shall build up and maintain an information system for generation, issuance and reporting of the contracts concluded for the insurances under Art. 2.

(3) The information system must guarantee the correct and accurate entry of the data from the motor vehicle registration certificate.

(4) The obligations according to the preceding paragraphs shall relate to conclusion and reporting of all contracts under para 2, including also these concluded through insurance intermediaries.

(5) The Management Board of the Guarantee Fund shall approve formats and model forms required for generation of the information as well as shall prepare internal rules and procedures of ensuring regulated and controlled access by the insurers to the databases created and maintained in the Information Center. The internal rules shall be submitted for approval to the Deputy Chairperson in charge of Insurance Supervision Division (hereinafter referred to as "Deputy Chairperson").

**Section II.**  
**Requirements to the issue and reporting of the contracts for the obligatory insurances under Art. 2**

**Art. 4.** (1) The contracts have single unified numbering, generated under a procedure and conditions, determined by the Management Board of the Guarantee Fund.

(2) The contract shall be generated and issued by the insurer's electronic system. Upon the contract's generation a check of the entry data will be carried out.

(3) A concluded contract shall be reported in the Information Center and in the Financial Supervision Commission (hereinafter referred to as the "Commission") within 24 hours after its conclusion.

(4) Correction of errors admitted when reporting for a contract shall be made within 48 hours after the contract's conclusion.

(5) The contracts shall be reported according to the formats and model forms under Art. 3 para 5. A contract which has not been reported in compliance with the formats and model forms according to sentence one, or on which there are uncompleted fields or fields containing wrong or incorrect data shall be considered to be non-reported. As uncompleted shall not be considered fields for which there exists a legal ground for it.

**Art. 5.** The insurers, after agreeing with the Management Board of the Guarantee Fund, shall submit at the Commission their technical assignments for the adaptation of their information systems in conformity to the requirements of Art. 4 and shall publish them in an appropriate manner on their Internet websites.

**Art. 6.** The insurers shall ensure technical possibility for conducting of inspections by Commission's officials over compliance with the procedures, rules and processes for fulfillment of the requirements under Art. 3, para 2 and Art. 4.

**Chapter Three**  
**ADMINISTRATIVE LIABILITY AND PENALTY PAYMENTS**

**Art. 7.** (1) Any person who commits or admits the committing of a violation of the provisions of this Ordinance shall be sanctioned with the penalty payments according to Art. 319 of the Insurance Code, unless the act constitutes another violation under Part Seven of the Insurance Code.

(2) The acts for establishment of the administrative violations of the Ordinance shall be drawn up by officials authorized by the Deputy Chairperson, and the penalty warrants shall be issued by the Deputy Chairperson.

(3) The establishment of the violations, the issue, appeal against and enforcement of the penalty warrants shall be made under the Administrative Violations and Sanctions Act.

**Transitional and Final Provisions**

**§ 1.** This Ordinance is issued on the ground of Art. 295a, para 3 of the Insurance Code and was adopted by Decision № 121-H from 3 Nov., 2010 of the Financial Supervision Commission.

**§ 2.** Within four months after the coming into effect of the Ordinance, the Management Board of the Guarantee Fund shall prepare the internal rules under Art. 3, para 5 and shall present them for approval.

**§ 3.** Within six months after the coming into effect of the Ordinance, the insurers in coordination with the Guarantee Fund shall adapt their information systems in conformity to the requirements of Art. 3, para 1, as well as shall ensure the technical possibilities under Art. 6.

**§ 4.** Within four months after the coming into effect of the Ordinance, the Management Board of the Guarantee Fund shall determine the procedure and conditions for generating the single unified numbering of the contracts, as well as the mechanisms for their fulfillment and observance by the insurers.

**§ 5.** Within six months after the coming into effect of the Ordinance, the insurers shall submit at the Commission their technical assignments for adaptation of their information systems according to para 5.

**§ 6.** The Commission may provide guidelines on the Ordinance application.