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Accessibility Requirements for Products and Services Act

Promulgated, SG No. 31/11.04.2025, effective 28.06.2025

Text in Bulgarian: Закон за изискванията за достъпност на продукти и услуги

Chapter One GENERAL PROVISIONS

Article 1. This Act shall regulate:

1. the accessibility requirements for products and services;
2. the products conformity assessment procedure with regard to accessibility requirements;
3. the obligations of economic operators when making products available on the market or providing services;
4. the surveillance of products made available on the market and/or put into service;
5. the conformity control of services provided with regard to accessibility requirements.

Article 2. (1) This Act shall apply to the following products:

1. consumer general purpose computer hardware systems and computer operating systems for those hardware systems;
2. the following self-service terminals:
 - (a) payment terminals;
 - (b) automated teller machines dedicated to the provision of services referred to in Paragraph (2);
 - (c) ticketing machines dedicated to the provision of services referred to in Paragraph (2);
 - (c) check-in machines dedicated to the provision of services referred to in Paragraph (2);
 - (e) interactive self-service terminals providing information and dedicated to the provision of services referred to in Paragraph (2), excluding terminals installed as an integral part of vehicles, aircraft, ships or rolling stock;
3. consumer terminal equipment with interactive computing capability, used for electronic communications services;
4. consumer terminal equipment with interactive computing capability, used for accessing audiovisual media services;
5. e-readers.

(2) This Act shall apply to the following services:

1. electronic communications services with the exception of transmission services used for the provision of machine-to-machine services;
2. services providing access to audiovisual media services;
3. the following elements of air, bus, rail and waterborne passenger transport services, except for urban, suburban and regional transport services:
 - (a) websites;
 - (b) mobile device-based services including mobile applications;
 - (c) electronic tickets and electronic ticketing services;

(d) delivery of transport service information, including real-time travel information; this shall, with regard to information screens, be limited to interactive screens located within the territory of the European Union;

(e) interactive self-service terminals located within the territory of the European Union, except those installed as integrated parts of vehicles, aircrafts, ships and rolling stock used in the provision of any part of such passenger transport services;

4. urban, suburban and regional transport services with regard to interactive self-service terminals located within the territory of the European Union, except those installed as integrated parts of vehicles, aircrafts, ships and rolling stock used in the provision of any part of such passenger transport services;

5. consumer banking services;

6. e-books and dedicated software;

7. e-commerce services.

(3) This Act shall not apply to the following content of websites and mobile applications:

1. pre-recorded time-based media published before the 28th day of June 2025;

2. office file formats published before the 28th day of June 2025;

3. online maps and mapping services, if essential information is provided in an accessible digital manner for maps intended for navigational use;

4. third-party content that is neither funded, developed by, or under the control of, the economic operator concerned;

5. content of websites and mobile applications qualifying as archives, meaning that they only contain content that is not updated or edited after the 28th day of June 2025.

(4) This Act shall apply without prejudice to the provisions of:

1. Regulation (EU) 2017/1563 of the European Parliament and of the Council of 13 September 2017 on the cross-border exchange between the Union and third countries of accessible format copies of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled (OJ L 242/1 of 20 September 2017);

2. The Copyright and Related Rights Act, which transposes Directive (EU) 2017/1564 of the European Parliament and of the Council of 13 September 2017 on certain permitted uses of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled and amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society (OJ L 242/6 of 20 September 2017).

Article 3. (1) The accessibility requirements for products and services shall apply only to the extent that compliance therewith:

1. does not require a significant change in a product or service that results in the fundamental alteration of its basic nature, or

2. does not result in the imposition of a disproportionate burden on the economic operators concerned.

(2) Economic operators relying on an exemption under Paragraph (1) shall carry out an assessment of whether compliance with the accessibility requirements for goods or services would introduce a fundamental alteration or impose a disproportionate burden. The assessment of disproportionate burden shall be based on the relevant criteria set out in Annex 1 hereto and in the delegated acts adopted by the European Commission pursuant to Article 14(7) of Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on accessibility requirements for products and services (OJ L 151/70 of 7 June 2019), hereinafter referred to as

"Directive (EU) 2019/882".

(3) Economic operators shall document the assessment referred to in Paragraph (2) and shall keep all relevant results for a period of five years to be calculated from the last making available of a product on the market or after a service was last provided, as applicable. Upon request from the market surveillance authorities or from the authorities responsible for conformity control of services, the economic operators shall provide the said authorities with a copy of the assessment referred to in Paragraph (2).

(4) Microenterprises dealing with products shall be exempted from the requirement to document the assessment thereof under Paragraph (2). Upon request from a market surveillance authority, microenterprises dealing with products shall provide the said authority with the facts relevant to the assessment under Paragraph (2).

(5) Service providers applying any exemptions under Item 2 of Paragraph (1) shall renew the assessment thereof of whether the burden is disproportionate with regard to each category or type of service:

1. when the service offered is altered, or
2. when requested to do so by the authorities responsible for conformity control of services, and
3. in any event, at least every five years.

(6) Where economic operators, with the exception of microenterprises, apply any exemptions under Paragraph (1) for a specific product or service, the said operators shall send information to that effect to the relevant market surveillance authorities, or authorities responsible for conformity control of services of the Member State where the specific product is placed on the market or the specific service is provided.

(7) The exemptions under Item 2 of Paragraph (1) shall not apply where economic operators receive funding from public or private sources other than the said operators' own resources that is provided for the purpose of improving accessibility of the products or services concerned.

Chapter Two

ACCESSIBILITY OF PRODUCTS

Section I

Accessibility Requirements and Free Movement of Products

Article 4. (1) To the extent that no exemptions have been applied according to Article 3 herein, all products, except for self-service terminals, shall be made available on the market only where complying with the accessibility requirements under Sections I and II of Annex 2 hereto, also taking into account the functional performance criteria under Section IV of that Annex.

(2) To the extent that no exemptions have been applied according to Article 3 herein, self-service terminals shall be made available on the market only where complying with the accessibility requirements under Section I of Annex 2 hereto, also taking into account the functional performance criteria under Section VI of that Annex.

Article 5. The making available on the market of any products that comply with this Act shall not be prohibited, restricted or impeded for reasons related to accessibility requirements.

Section II

Conformity of Products

Article 6. (1) Any product which complies with the harmonised standards or parts of such standards whereof the references have been published in the Official Journal of the European Union shall be presumed to be in conformity with the accessibility requirements under Article 4 herein covered by the said standards or parts thereof.

(2) Any product which complies with the technical specifications or parts thereof adopted pursuant to Article 15(3) of Directive (EU) 2019/882 shall be presumed to be in conformity with the accessibility requirements under Article 4 herein covered by the said technical specifications or parts thereof.

Article 7. The assessment of the conformity of products with the accessibility requirements under Article 4 herein shall be carried out according to the conformity assessment procedure set out in Annex 3 hereto.

Article 8. (1) An EU declaration of conformity shall be drawn up for the products whereof the conformity with the accessibility requirements has been assessed according to the conformity assessment procedure set out in Annex 3 hereto.

(2) The EU declaration of conformity shall state that the fulfilment of the accessibility requirements under Article 4 herein has been demonstrated. Where any exemptions under Article 3 herein are applied, the EU declaration of conformity shall state which accessibility requirements are subject to exemption.

(3) The EU declaration of conformity shall have the model structure set out in Annex 4 hereto and shall be updated in the event of a change in the data of the economic operator, the references of standards, technical specifications or other circumstances related to the conformity as declared.

(4) The EU declaration shall be translated into the language determined by the Member State in the territory whereof product is placed or made available on the market. Where the product is placed or made available on the market in the territory of the Republic of Bulgaria and the EU declaration of conformity is not drawn up in Bulgarian, it shall be translated into Bulgarian.

(5) Where a product is subject to more than one applicable act of European Union harmonisation legislation requiring an EU declaration of conformity, a single EU declaration of conformity shall be drawn up, containing the acts concerned and the references of the publication thereof in the Official Journal of the European Union.

(6) The requirement under Paragraph (5) may be fulfilled by compiling a file of the individual EU declarations of conformity required by all acts of European Union harmonisation legislation whereof the product is subject.

Article 9. By drawing up the EU declaration of conformity, the manufacturer takes responsibility for the conformity of the product with the requirements of the law.

Article 10. (1) The conformity of a product with the accessibility requirements under Article 4 herein shall be attested by affixing the CE marking.

(2) The CE marking shall be subject to the general principles set out in Article 30 of Regulation (EC) No. 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No. 339/93 (OJ L 218/30 of 13 August 2008), hereinafter referred to as "Regulation (EC) No. 765/2008".

(3) The CE marking shall be affixed visibly, legibly and indelibly to the product or to the

data plate thereof. Where that is not possible, or not warranted, on account of the nature of the product, the said marking shall be affixed to the packaging and to the accompanying documents.

(4) The CE marking shall be affixed before the product is placed on the market.

Section III

Obligations of Economic Operators in Relation to Products

Article 11. (1) When placing a product on the market, the manufacturer shall ensure that the said product has been designed and manufactured in accordance with the applicable accessibility requirements under Article 4 herein.

(2) The manufacturer shall draw up the technical documentation in accordance with Annex 3 hereto and shall carry out the conformity assessment procedure set out in that Annex or shall have the said procedure carried out.

(3) Where compliance of a product with the applicable accessibility requirements has been demonstrated by implementing the procedure referred to in Paragraph (2), the manufacturer shall draw up an EU declaration of conformity according to Article 8 herein and shall affix the CE marking according to Article 10 herein.

(4) The manufacturer shall keep the technical documentation and the EU declaration of conformity for five years after the product has been placed on the market.

Article 12. (1) The manufacturer shall implement procedures ensuring that in series production products remain in conformity with the applicable requirements.

(2) When fulfilling the requirements referred to in Paragraph (1), the manufacturer shall adequately take into account changes in product design or characteristics and changes in the harmonised standards, or in technical specifications referred to in Article 6 herein, by reference to which the manufacturer has declared conformity of the product.

Article 13. (1) The manufacturer shall ensure that each product bears a type, batch or serial number or other element allowing the identification of the said product.

(2) The manufacturer shall indicate on the product the name and registered trade name or registered trade mark thereof and the postal address whereat the said manufacturer can be contacted. The address must indicate a single point at which the manufacturer can be contacted and shall be provided in an understandable way for end-users and market surveillance authorities.

(3) Where the size or nature of the product does not allow the said product to bear the information referred to in Paragraph (1) or (2), the said information shall be provided on the packaging or in a document accompanying the product.

Article 14. The manufacturer shall ensure that the product is accompanied by instructions and safety information in Bulgarian. Any such instructions and information, as well as any labelling, shall be clear, understandable and intelligible.

Article 15. (1) Where the manufacturer considers or has reason to believe that a product which the said manufacturer has placed on the market is not in conformity with the requirements of this Act, the said manufacturer shall immediately and, if appropriate in the case in question, take the corrective measures necessary to bring that product into conformity or to withdraw the said product.

(2) In the cases referred to in Paragraph (1), where the product does not comply with the applicable accessibility requirements under Article 4 herein, the manufacturer shall immediately inform the market surveillance authorities under this Act and the competent authorities of the Member States in which such products have been made available on the market, to that effect, giving details, in particular, of the non-compliance of the product with the applicable

requirements and of the corrective measures taken.

(3) The manufacturer shall keep a register of products which do not comply with applicable accessibility requirements under Article 4 herein and of the related complaints.

Article 16. (1) The manufacturer shall, further to a reasoned request from the market surveillance authorities under this Act or from a competent authority of another Member State, provide the said authorities with all the information and documentation necessary to demonstrate the conformity of the product. Such information and documentation shall be provided to the market surveillance authorities under this Act in either paper or electronic format in Bulgarian or in a language in which the said information and documentation is available, provided that the said language is understood by the said authorities.

(2) For the purposes of administrative proceedings and/or administrative penalty proceedings, the manufacturer shall provide the market surveillance authorities under this Act with the information and documentation referred to in Paragraph (1) in Bulgarian within a time limit set by the said authorities.

(3) At the request of an authority referred to in Paragraph (1), the manufacturer shall cooperate with the said authority on any action taken to eliminate the non-compliance with the applicable accessibility requirements of products which the said manufacturer has placed on the market.

Article 17. (1) A manufacturer may appoint an authorised representative thereof by a written mandate.

(2) An authorised representative shall perform the tasks specified in the mandate received from the manufacturer.

(3) The manufacturer shall not include the obligations referred to in Article 11 (1) herein and the obligation to establish technical documentation under Article 11 (2) herein in the authorised representative's mandate.

(4) The manufacturer shall include at least the following in the authorised representative's mandate:

1. keep the EU declaration of conformity and the technical documentation at the disposal of market surveillance authorities for five years after the product has been placed on the market;

2. further to a reasoned request from the market surveillance authorities under this Act or from a competent authority of another Member State, provide the said authorities with all the information and documentation necessary to demonstrate the conformity of the product;

3. at the request of the market surveillance authorities under this Act or of a competent authority of another Member State, cooperate on any action taken to eliminate the non-compliance with the applicable accessibility requirements of products covered by the authorised representative's mandate.

Article 18. The importer shall place on the market products only compliant with the requirements of this Act.

Article 19. (1) Before placing a product on the market, the importer shall ensure that:

1. the manufacturer has drawn up the technical documentation in accordance with Annex 3 hereto and has carried out the conformity assessment procedure set out in that Annex;

2. the CE marking has been affixed;

3. the manufacturer has fulfilled the obligations thereof under Article 13 herein;

4. the product is accompanied by the required documents.

(2) The manufacturer shall ensure that the product is accompanied by instructions and safety information in Bulgarian.

Article 20. (1) The importer shall indicate on the product the name and registered trade

name or registered trade mark thereof and the postal address whereat the said importer can be contacted. The address shall be presented in an understandable way for end-users and market surveillance authorities.

(2) Where the size or nature of the product does not allow the said product to bear the information referred to in Paragraph (1), the said information shall be provided on the packaging or in a document accompanying the product.

Article 21. Where the importer considers or has reason to believe that a product is not in conformity with the applicable accessibility requirements under Article 4 herein, the said importer shall not place the product on the market until the said product has been brought into conformity and shall inform the manufacturer and the market surveillance authorities accordingly.

Article 22. The importer shall ensure that, while a product is under the responsibility thereof, storage or transport conditions do not jeopardise the compliance of the said product with the applicable accessibility requirements under Article 4 herein.

Article 23. (1) The importer shall keep a copy of the EU declaration of conformity at the disposal of the market surveillance authorities for five years after the product has been placed on the market.

(2) For a period of five years after the product has been placed on the market the importer shall ensure that the technical documentation can be made available to the market surveillance authorities upon request.

Article 24. (1) Where the importer considers or has reason to believe that a product which the said importer has placed on the market is not in conformity with the requirements of this Act, the said importer shall immediately and, if appropriate in the case in question, take the corrective measures necessary to bring that product into conformity or to withdraw the said product.

(2) In the cases referred to in Paragraph (1), where the product does not comply with the applicable accessibility requirements under Article 4 herein, the importer shall immediately inform the market surveillance authorities under this Act and the competent authorities of the Member States in which such products have been made available on the market, to that effect, giving details, in particular, of the non-compliance of the product with the applicable requirements and of the corrective measures taken.

(3) The importer shall keep a register of products which do not comply with applicable accessibility requirements under Article 4 herein and of the related complaints.

Article 25. (1) The importer shall, further to a reasoned request from the market surveillance authorities under this Act or from a competent authority of another Member State, provide the said authorities with all the information and documentation necessary to demonstrate the conformity of the product. Such information and documentation shall be provided to the market surveillance authorities under this Act in either paper or electronic format in Bulgarian or in a language in which the said information and documentation is available, provided that the said language is understood by the said authorities.

(2) For the purposes of administrative proceedings and/or administrative penalty proceedings, the importer shall provide the market surveillance authorities under this Act with the information and documentation referred to in Paragraph (1) in Bulgarian within a time limit set by the said authorities.

(3) At the request of an authority referred to in Paragraph (1), the importer shall cooperate with the said authority on any action taken to eliminate the non-compliance with the applicable accessibility requirements of products which the said importer has placed on the market.

Article 26. When making a product available on the market, the distributor shall act with

due care in relation to the requirements of this of this Act.

Article 27. Before making a product available on the market, the distributors shall make sure that:

1. the CE marking has been affixed;
2. the product is accompanied by the requisite documents and by instructions and safety information in Bulgarian;
3. the manufacturer has fulfilled the obligations thereof under Article 13 herein;
4. the manufacturer has fulfilled the obligations thereof under Article 20 herein.

Article 28. Where the distributor considers or has reason to believe that a product is not in conformity with the applicable accessibility requirements under Article 4 herein, the said distributor shall not make the product available on the market until the said product has been brought into conformity and shall inform accordingly the manufacturer or the importer and the market surveillance authorities.

Article 29. The distributor shall ensure that, while a product is under the responsibility thereof, storage or transport conditions do not jeopardise the compliance of the said product with the applicable accessibility requirements under Article 4 herein.

Article 30. (1) Where the distributor considers or has reason to believe that a product which the said importer has made available on the market is not in conformity with the requirements of this Act, the said distributor shall make sure that the corrective measures necessary to bring the said product into conformity or to withdraw the said product, if appropriate in the case in question, are taken.

(2) In the cases referred to in Paragraph (1), where the product does not comply with the applicable accessibility requirements under Article 4 herein, the distributor shall immediately inform the market surveillance authorities under this Act and the competent authorities of the Member States in which the said distributor has made such products available on the market, to that effect, giving details, in particular, of the non-compliance of the product with the applicable requirements and of the corrective measures taken.

Article 31. (1) The distributor shall, further to a reasoned request from the market surveillance authorities under this Act or from a competent authority of another Member State, provide the said authorities in either paper or electronic format with all the information and documentation necessary to demonstrate the conformity of the product.

(2) At the request of an authority referred to in Paragraph (1), the distributor shall cooperate with the said authority on any action taken to eliminate the non-compliance with the applicable accessibility requirements of products which the said distributor has made available on the market.

Article 32. Where an importer or distributor places a product on the market under its name or trademark or modifies a product already placed on the market in such a way that compliance with the requirements of this Act may be affected, the said importer or distributor shall be considered a manufacturer and shall fulfil the obligations of the manufacturer under Articles 11 to 16 herein.

Article 33. (1) Each economic operator shall maintain information on each economic operator who has supplied them with a product and on each economic operator to whom they have supplied a product.

(2) The information referred to in Paragraph (1) and the documents demonstrating the supply made shall be kept for five years after the date of supply. The said information and documents shall be made available to the market surveillance authorities upon request.

Section IV

Market Surveillance

Article 34. The President of the State Agency for Metrological and Market Surveillance, acting through the market surveillance authorities of the said Agency, shall be a market surveillance authority for the products referred to in Article 2 (1) herein within the meaning of Article 10(2) of Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No. 765/2008 and (EU) No. 305/2011 (OJ L 169/1 of 25 June 2019), hereinafter referred to as "Regulation (EU) 2019/1020".

(2) The market surveillance of products shall be organised and carried out according to Regulation (EU) 2019/1020, insofar as there are no specific provisions for the same purpose in this Act regulating in a special way any particular aspects of the market in such products. Articles 19, 20, 25(5) and 28(1) and (4) of Regulation (EU) 2019/1020 shall not apply to the products referred to in Article 2(1) of this Act.

(3) Upon the conduct of checks, market surveillance authorities may request assistance from the authorities of the Ministry of Interior and from competent local self-government authorities in cases of unlawful interference with the performance of the duties of the said market surveillance authorities.

Article 35. Market surveillance authorities shall have the right:

1. to gain unimpeded access to:
 - (a) commercial establishments and other storage and presentation areas for products placed on the market, including remote points of sale, including by electronic means;
 - (b) production, storage and business premises and other places where products are put into service or are used for the purpose intended;
 - (c) fairs, exhibitions and demonstrations whereat any products referred to in Article 2 (1) herein are presented;
 2. to require from economic operators, consistent with the obligations thereof:
 - (a) an EU declaration of conformity;
 - (b) the technical documentation for the product;
 - (c) instructions and safety information in Bulgarian;
 - (d) the information referred to Article 33 herein;
 - (e) a document certifying a registered trade mark;
 - (f) the assessment referred to in Article 3 herein, where the economic operator relies on any such assessment;
 3. to acquire gratuitously product samples for testing;
 4. to require original books of accounts, business or other books and records, as well as documents relevant to the commercial registration, the Uniform Identification Code or BULSTAT Code, personal data and other information relevant to the ascertainment of an administrative violation under this Act, which cannot be gathered through official channels, as well as to seize certified copies thereof;
 5. to request assistance from competent authorities of other Member States.
- (2) In consultation with the economic operator concerned, market surveillance authorities shall set a time limit for the provision of the documents and information referred to in Item 2 (a) and (b) of Paragraph (1), which may not exceed 30 days.
- (3) Economic operators making products available on the market and persons presenting

products at the venues referred to in Item 1 (c) of Paragraph (1) shall be obliged to afford access to the places referred to in Item 1 of Paragraph (1) and to cooperate with market surveillance authorities in the performance of the duties thereof.

(4) In the cases under Item 3 of Paragraph (3), a takeover record shall be drawn up and the seized samples shall be returned to the economic operator within 30 days.

(5) Market surveillance authorities shall draft a memorandum on the results of the checks, attaching thereto the written documents and information gathered. The said memorandum shall be signed by the drafter, by the inspected person and, should the said person refuse to sign, by two witnesses to the refusal.

(6) A memorandum of ascertainment shall not be drafted in cases where the market surveillance authorities have ascertained a violation of this Act on the basis of official documents, as well as where the inspected person obstructs the performance of the official duties of the market surveillance authorities and/or fails to provide the documents referred to in Items 2 and 4 of Paragraph (1).

Article 36. Market surveillance authorities shall be obliged:

1. to identify themselves when carrying out checks;
2. to use any documents and information obtained only for the purposes of market surveillance and control activities laid down in a statutory instrument;
3. to participate in the exchange of information with competent authorities of other Member States;
4. to cooperate with the European Commission and the competent authorities of other Member States at the request thereof.

(2) Market surveillance authorities shall make available to users, upon request and in an accessible format, the available information concerning the compliance of economic operators with the applicable accessibility requirements and the assessment referred to in Article 3 herein, except where such information cannot be provided for reasons of confidentiality pursuant to Article 17 of Regulation (EU) 2019/1020.

Article 37. (1) Market surveillance shall include:

1. monitoring availability of and checking compliance with the requirements for:
 - (a) the CE marking;
 - (b) the information identifying the manufacturer and the importer;
 - (c) the information identifying the product;
 - (d) the information required to be borne by the product or to accompany the product;
 - (e) the instructions and safety information in Bulgarian required to accompany the product;
 - (d) the EU declaration of conformity;
2. checking the EU declaration of conformity and the technical documentation;
3. testing samples of products placed on the market or put into service.

(2) When the economic operator has relied on the exemptions under Article 3 (1) herein, market surveillance authorities shall:

1. check that the assessment referred to in Article 3 (2) herein has been conducted by the economic operator;
2. review the said assessment and the results thereof, including the correct use of the criteria set out in Annex 1 hereto and in the delegated acts adopted by the European Commission pursuant to Article 14(7) of Directive (EU) 2019/882;
3. check compliance with the applicable accessibility requirements.

Article 38. (1) The costs of testing shall be borne by the economic operator where the products do not comply with the applicable accessibility requirements under Article 4 herein.

(2) Where the products comply with the applicable accessibility requirements under Article 4 herein, the costs shall be borne by the market surveillance authorities.

(3) The costs of testing shall be borne by the economic operator irrespective of the results of the said testing where:

1. the CE marking has not been affixed to the product;
2. an EU declaration of conformity has not been drawn up for the product according to the applicable requirements;
3. technical documentation for the product is not available;
4. the technical documentation does not contain all relevant documents providing data or details on the means used by the manufacturer to ensure conformity of the product.

Article 39. (1) Market surveillance authorities shall, subject to the principle of proportionality and in the event that the economic operator has not taken the necessary corrective action, have the right to impose the following restrictive measures:

1. suspension of a product being made available on the market and/or being put into service and being used;
2. prohibition of the making a product available on the market and/or of putting a product into service and use;
3. withdrawal of a product.

(2) The President of the State Agency for Metrological and Technical Surveillance or officials empowered thereby shall issue an order imposing restrictive measures under Paragraph (1) or directing the taking of corrective action.

(3) The orders referred to in Paragraph (2) shall be appealable according to the procedure established by the Administrative Procedure Code.

Article 40. (1) Where market surveillance authorities have sufficient reason to believe that a product does not comply with the applicable accessibility requirements under Article 4 herein, the said authorities shall carry out an evaluation in relation to the product covering all requirements of the law.

(2) The relevant economic operators shall appropriately cooperate with the market surveillance authorities when the evaluation under Paragraph (1) is carried out.

(3) Where the evaluation under Paragraph (1) finds that the product does not comply with the requirements of the law, market surveillance authorities shall without delay require the relevant economic operator to take the necessary corrective action to bring the product into compliance within a period prescribed by the said authorities, commensurate with the nature of the non-compliance, and shall impose suspension of the product being made available on the market and/or being put into service and being used until the non-compliance has been eliminated.

(4) Market surveillance authorities shall require the relevant economic operator to withdraw the product from the market, within an additional reasonable period, only if the relevant economic operator has failed to take adequate corrective action within the period referred to in Paragraph (3).

(5) In the cases referred to in Paragraphs (3) and (4), Article 18 of Regulation (EU) No. 2019/1020 shall apply.

(6) Where the market surveillance authorities consider that non-compliance is not restricted to the territory of the Republic of Bulgaria, the said authorities shall inform the European Commission and the other Member States of the results of the evaluation under Paragraph (1) and of the corrective action under Paragraph (3) which the said authorities have required the economic operator to take.

Article 41. (1) Where the relevant economic operator does not take adequate corrective action within the period referred to in Article 40 (3) herein, the market surveillance authorities shall impose appropriate provisional measures and shall inform the European Commission and the other Member States without delay.

(2) The information referred to in Paragraph (1) shall include all available details, in particular the data necessary for the identification of the non-compliant product, the origin of the product, the nature of the non-compliance and the accessibility requirements wherewith the product does not comply, the nature and duration of the restrictive measures imposed, as well as the arguments put forward by the relevant economic operator. In particular, the market surveillance authorities shall indicate whether the non-compliance is due to either:

1. the failure of the product to meet the applicable accessibility requirements;
2. the shortcomings in the harmonised standards referred to in Article 6 (1) herein or in the technical specifications referred to in Article 6 (2) herein.

Article 42. (1) Where, within three months of receipt of the information referred to in Article 41 (2) herein, no objection has been raised by either a Member State or the European Commission in respect of a provisional measure referred to in Article 41 herein, that measure shall be deemed justified.

(2) Where the European Commission adopts an implementing act determining that the provisional restrictive measure referred to in Article 41 herein is unjustified, the order whereby the said measure has been imposed shall be revoked.

Article 43. (1) Where, upon receipt of information on restrictive measures taken by another Member State, the market surveillance authorities under this Act shall without delay inform the European Commission and the other Member States of any measures adopted by the said authorities and of any additional information at the disposal of the said authorities relating to the non-compliance of the product concerned, as well as of the objections of the said authorities in the event of disagreement with the restrictive measures taken by the other Member State.

(2) Where no objections have been raised to the restrictive measures taken by the competent authorities of another Member State or where the European has adopted an implementing act determining that the measure is justified, the market surveillance authorities under this Act shall ensure that the same restrictive measures have been taken without delay with regard to the product concerned and shall inform the European Commission accordingly.

Article 44. (1) Market surveillance authorities shall require the relevant economic operator to take the necessary corrective action within a period prescribed by the said authorities, commensurate with the nature of the non-compliance, where the said authorities find that:

1. the CE marking has been affixed in violation of Article 30 of Regulation (EC) No. 765/2008 or of Article 10(1) of Regulation (EC) No. 765/2008. 3 or 4 of the Act;
2. the CE marking has not been affixed;
3. the EU declaration of conformity has not been drawn up;
4. the EU declaration of conformity has not been drawn up correctly;
5. technical documentation is either not available or not complete;
6. the information referred to in Article 13 (2) or in Article 20 (2) herein is absent, false or incomplete;
7. another administrative requirement set out in Section III of Chapter Two herein is not fulfilled.

(2) Where the non-compliance referred to in Paragraph (1) has not been eliminated within the prescribed period, the market surveillance authorities shall impose the necessary restrictive measures.

Article 45. In the cases referred to in Articles 40 and 44 herein, the economic operator shall ensure economic operator shall ensure that all necessary corrective action is taken in respect of all the products concerned that the said operator has made available on the market throughout the European Union.

Chapter Three

ACCESSIBILITY OF SERVICES

Section I

Accessibility Requirements and Freedom to Provide Services

Article 46. (1) To the extent that no exemptions have been applied according to Article 3 herein, all services, except for urban and suburban transport services and regional transport services, shall be provided only where complying with the accessibility requirements under Sections III and IV of Annex 2 hereto, also taking into account the functional performance criteria under Section VI of that Annex.

(2) To the extent that no exemptions have been applied according to Article 3 herein, urban and suburban transport services and regional transport services shall be provided only where complying with the accessibility requirements under Section IV of Annex 2 hereto, also taking into account the functional performance criteria under Section VI of that Annex.

(3) Microenterprises providing services shall be exempt from complying with the accessibility requirements referred to in Paragraphs (1) and (2) and any obligations relating to the compliance with those requirements.

Article 47. The provision of any services that comply with this Act shall not be prohibited, restricted or impeded for reasons related to accessibility requirements.

Section II

Conformity of Services

Article 48. (1) Any service which complies with the harmonised standards or parts of such standards whereof the references have been published in the Official Journal of the European Union shall be presumed to be in conformity with the accessibility requirements under Article 46 herein covered by the said standards or parts thereof.

(2) Any service which complies with the technical specifications or parts thereof adopted pursuant to Article 15(3) of Directive (EU) 2019/882 shall be presumed to be in conformity with the accessibility requirements under Article 46 herein covered by the said technical specifications or parts thereof.

Article 49. (1) Services shall be deemed to comply with the relevant accessibility requirements under Article 46 herein where complying with the requirements on the provision of accessible information and of information on accessibility laid down in any of the following acts:

1. Regulation (EC) No. 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No. 295/91;

2. Regulation (EC) No. 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when

travelling by air, hereinafter referred to as "Regulation (EC) No. 1107/2006";

3. Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (OJ L 172/1 of 17 May 2021), hereinafter referred to as "Regulation (EU) 2021/782";

4. Regulation (EU) No. 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No. 2006/2004 (OJ L 334/1 of 17 December 2010), hereinafter referred to as "Regulation (EU) No. 1177/2010";

5. Regulation (EU) No. 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No. 2006/2004 (OJ L 55/1 of 28 February 2011), hereinafter referred to as "Regulation (EU) No. 181/2011";

6. the provisions of the Rail Transport Act and the instruments for the application thereof which transpose the requirements of Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ L 138/44 of 26 May 2016).

(2) Where this Act provides for requirements additional to those provided in the acts referred to in Paragraph (1), the said additional requirements shall apply in full.

Section III

OBLIGATIONS OF SERVICE PROVIDERS

Article 50. (1) The service provider shall ensure that the services are designed and provided in accordance with the accessibility requirements under Article 46 herein.

(2) The service provider shall prepare the necessary information in accordance with Annex 5 hereto, including clarifications of how the services meet the applicable accessibility requirements under Article 46 herein. The said information shall be made available to the public in written and oral format, including in a manner which is accessible to persons with disabilities.

(3) The service provider shall keep the information referred to in Paragraph (2), prepared in written format, for as long as the service is in operation.

Article 51. (1) The service provider shall implement procedures to ensure that the services remain in conformity with the applicable accessibility requirements under Article 46 herein for the entire period during which the services are provided.

(2) In fulfilling the requirement under Paragraph (1), the service provider shall take appropriate account of changes in the characteristics of the provision of the service, changes in applicable accessibility requirements and changes in the harmonised standards or in technical specifications referred to in Article 48 herein by reference to which a service is declared to meet the accessibility requirements under Article 46 herein.

Article 52. (1) In the case of non-conformity, the service provider shall take the corrective measures necessary to bring the service into conformity with the applicable accessibility requirements under Article 46 herein.

(2) Where the service is not compliant with the applicable accessibility requirements under Article 46 herein, the service provider shall immediately inform the market surveillance authority referred to in Article 54 (1) herein and the competent authorities of the Member States in which the service is provided, to that effect, giving details, in particular, of the non-compliance with the applicable requirements and of the corrective measures taken.

Article 53. (1) Further to a reasoned request from an authority referred to in Article 54 (1)

herein or from a competent authority of another Member State in which the service is provided, the service provider shall provide all information necessary to demonstrate the conformity of the service with the applicable accessibility requirements under Article 46 herein. The said information shall be provided to the authorities referred to in Article 54 (1) herein in either paper or electronic format in Bulgarian within a time limit set by the said authorities.

(2) At the request of an authority referred to in Paragraph (1), the service provider shall cooperate therewith on any action taken to bring the service into compliance with the applicable requirements.

Section IV

Conformity Control of Services

Article 54. (1) The conformity control of services shall be exercised by:

1. the Communications Regulation Commission: for the services referred to in Item 1 of Article 2 (2) herein;
2. the Council for Electronic Media: for the services referred to in Item 2 of Article 2 (2) herein;
3. the Directorate General Civil Aviation Administration: for the air passenger transport services referred to in Item 3 of Article 2 (2) herein;
4. the Road Transport Administration Executive Agency: for the bus passenger transport services referred to in Items 3 and 4 of Article 2 (2) herein;
5. the Railway Administration Executive Agency: for the rail passenger transport services referred to in Items 3 and 4 of Article 2 (2) herein;
6. the Maritime Administration Executive Agency: for the waterborne passenger transport services referred to in Item 3 of Article 2 (2) herein;
7. the Financial Supervision Commission and the Deputy Chairperson of the Financial Supervision Commission in charge of the Investment Activity Supervision Department: for the services referred to in Item 5 of Article 2 (2) herein in connection with the services indicated in Item 25 (b) of § 1 (1) of the Supplementary Provisions herein;
8. the Bulgarian National Bank: for the services referred to in Item 5 of Article 2 (2) herein in connection with the services indicated in Item 25 (c) to (e) of § 1 (1) of the Supplementary Provisions herein;
9. the Ministry of Culture: for the services referred to in Item 6 of Article 2 (2) herein;
10. the Commission for Consumer Protection: for the services referred to in Item 5 of Article 2 (2) herein in connection with the services referred to in Item 25 (a) of § 1 (1) of the Supplementary Provisions herein, and for the services referred to in Item 7 of Article 2 (2) herein.

(2) Where the economic operator has relied on Article 3 herein, the authorities referred to in Paragraph (1):

1. check that the assessment referred to in Article 3 herein has been conducted by the economic operator;
2. review the said assessment and the results thereof, including the correct use of the criteria set out in Annex 1 hereto and in the delegated acts adopted by the European Commission pursuant to Article 14(7) of Directive (EU) 2019/882;
3. check compliance with the applicable accessibility requirements.

(3) The authorities referred to in Paragraph (1) shall have the right to request assistance from competent authorities of other Member States.

(4) The authorities referred to in Paragraph (1) shall cooperate with the European

Commission and the competent authorities of other Member States at the request thereof.

(5) For the purpose of exercising control, the authority referred to in Paragraph (1), the head of the said authority or an official empowered thereby shall empower, by an instrument or instruments, officials of the administration thereof.

(6) The authorities referred to in Paragraph (1) shall make public the responsibilities, activities and decisions thereof under this Act in an appropriate manner. The said authorities shall provide this information in an accessible format upon request.

Article 55. (1) In performing the functions thereof, the officials empowered under Article 54 (5) herein shall have the right:

1. to check compliance with the requirements of this Act;
2. to gain unimpeded access to premises and other establishments used upon the provision of the services;
3. to require from service providers the information referred to in Article 50 (2) herein;
4. to require from service providers the assessment referred to in Article 3 herein, where the economic operator relies on any such assessment;
5. to require original books of accounts, business or other books and records, as well as documents relevant to the commercial registration, the Uniform Identification Code or BULSTAT Code, personal data and other information relevant to the ascertainment of an administrative violation under this Act, which cannot be gathered through official channels, as well as to seize certified copies thereof;
6. to require information, abstracts and other documents from third parties, necessary for carrying out cross-checks in connection with the exercise of control under this Act and/or with the ascertainment of administrative violations under this Act.

(2) The economic operators providing services shall be obliged to afford access to the places referred to in Item 1 of Paragraph (2) and to cooperate with the authorities referred to in Article 54 (1) herein in the performance of the duties thereof.

(3) A memorandum on the results of the checks shall be drawn up, attaching thereto the written documents and information gathered. The said memorandum shall be signed by the drafter, by the person checked and, should the said person refuse to sign, by two witnesses to the refusal.

(4) A memorandum of ascertainment shall not be drawn up in cases where the authorities referred to in Article 54 (1) herein have ascertained a violation of this Act on the basis of official documents, as well as where the person checked obstructs the control under Article 54 (1) herein.

Article 56. The officials empowered under Article 54 (5) herein shall be obliged:

1. to identify themselves by producing an official identity cards when carry out checks;
2. to use any documents and information obtained only for the purposes of the control activities.

Article 57. (1) The authorities referred to in Article 54 (1) herein shall, subject to the principle of proportionality, have the right to direct bringing the service into conformity with the applicable requirements.

(2) The measures referred to in Paragraph (1) shall be applied by the relevant authority referred to in Article 54 (1) herein by an instrument which shall be appealable according to the procedure established by the Administrative Procedure Code.

Article 58. (1) Where the authorities referred to in Article 54 (1) herein have sufficient reason to believe that a service does not comply with the applicable accessibility requirements under Article 46 herein, the said authorities shall carry out an evaluation covering all requirements of the law.

(2) The relevant economic operators shall appropriately cooperate with the authorities referred to in Article 54 (1) herein when the evaluation under Paragraph (1) is carried out.

(3) Where the evaluation under Paragraph (1) finds that the service does not comply with the requirements of the law, the authorities referred to in Article 54 (1) herein shall without delay require the relevant service provider to take the necessary corrective action to bring the service into compliance within a period prescribed by the said authorities, commensurate with the nature of the non-compliance.

Chapter Four

ACCESSIBILITY REQUIREMENTS IN OTHER EUROPEAN UNION ACTS

Article 59. The accessibility requirements for the products and services referred to in Article 2 herein, set out in Annex 2 hereto, shall constitute mandatory accessibility requirements within the meaning of Article 48 (6) of the Public Procurement Act.

Article 60. Any products or services other than those indicated in Article 2 (1) and (2) herein whereof the features, elements or functions comply with the accessibility requirements set out in Section V of Annex 2 hereto, also taking into account the functional performance criteria under Section VI of that Annex, shall be presumed to fulfil the relevant obligations set out in European Union acts, as regards accessibility, for those features, elements or functions, unless otherwise provided in those other acts.

Article 61. (1) Any products and services other than those indicated in Article 2 (1) and (2) herein which comply with the harmonised standards or parts of such standards whereof the references have been published in the Official Journal of the European Union shall be presumed to be in conformity with the accessibility requirements under Article 60 herein, to the extent that the said standards or parts thereof comply with the accessibility requirements under this Act.

(2) Any products and services other than those indicated in Article 2 (1) and (2) herein which comply with the technical specifications or parts thereof adopted pursuant to Article 15(3) of Directive (EU) 2019/882 shall be presumed to be in conformity with the accessibility requirements under Article 60 herein, to the extent that the said standards or parts thereof [sic, must be technical specifications - Translator's Note] comply with the accessibility requirements under this Act.

Chapter Five

CONSUMER COMPLAINTS AND REPORTS. COLLECTIVE REMEDIES

Section I

Consumer Complaints and Alerts

Article 62. (1) For a violation of the provisions of this Acts, consumers and organisations of and for persons with disabilities shall have the right to submit complaints and reports to the relevant authorities referred to in Article 34 and Article 54 (1) herein performing functions of market surveillance of products and control of conformity of services.

(2) Any such complaints and reports shall be submitted to the relevant authorities referred

to in Article 34 and Article 54 (1) herein in writing in paper format or electronically.

(3) The complaint must contain:

1. the designation of the authority whereto the complaint is addressed;
2. the name, postal and/or electronic mail address of the complainant;
3. against whom the complaint is submitted, indicating the name of the economic operator or the address of the commercial establishment;
4. the complaints and requests of the complainant;
5. signature of the person submitting the complaint, where submitted in paper format, or of the authorised representative of the said person; in case the complaint is submitted care of an authorised representative, a power of attorney shall be attached; in case the complaint is submitted electronically, signing the complaint by electronic signature shall not be required;
6. evidence available to the complainant: copy of cash register receipts, invoices, contracts and other such on which the complainant bases the claim thereof.

(4) If the complaint does not conform to the requirements of Paragraph (3), the relevant authorities referred to in Article 34 and Article 54 (1) herein shall notify the complainant within seven days of receipt of the complaint and shall not institute proceedings for consideration of the said complaint until the non-conformities have been remedied.

(5) The reports of consumers and organisations of and for persons with disabilities must meet the requirements of Items 1 to 5 of Paragraph (3).

Article 63. (1) The authorities referred to in Article 34 and Article 54 (1) herein shall be obliged to register the complaints and reports submitted thereto to consider the said complaints and reports, and to rule. Proceedings on anonymous complaints and reports shall not be instituted.

(2) The authority whereto a complaint or report is addressed shall be obliged to give directions to the consumer and to clarify thereto the rights and obligations thereof.

Article 64. (1) Complaints and reports shall be considered according to the procedure established in Chapter Eight of the Administrative Procedure Code.

(2) Decisions of great public concern may be made public through the mass media or in another appropriate manner at the discretion of the authority rendering the said decisions.

Article 65. (1) Any re-submitted complaints and reports on a matter whereon a decision exists shall not be considered unless the said complaints and reports concern the enforcement of the decision or are based on new facts and circumstances.

(2) Any complaints and reports left without consideration shall be returned to the submitter, and the grounds for this shall be communicated thereto.

(3) Any complaints and reports on matters addressed under Paragraph (2) but containing new circumstances shall be addressed only in reference to the new circumstances.

Article 66. This Section shall not apply to any procurement award procedures according to the procedure established by the Public Procurement Act.

Section II

Collective Remedies

Article 67. (1) Organisations of and for persons with disabilities may bring an action for cessation or for prohibition of acts or commercial practices that are in violation of this Act. Any such action shall be examined according to the procedure established by Chapter Thirty-Three of the Code of Civil Procedure.

(2) An action for cessation or for prohibition of acts or commercial practices that are in violation of this Act may furthermore be brought by the Agency for People with Disabilities.

Article 68. Where the court holds that a particular commercial practice or act constitutes a violation of this Act, the court may:

1. require from the manufacturer, importer and distributor of a product or from the service provider supplier to make public, in an appropriate manner and at the own expense thereof, the judgment in full or in part and/or to publish a corrective statement with a view to eliminating the effect of the violation;

2. order the manufacturer, importer and distributor of a product or the service provider to cease the unlawful commercial practice within a specified time limit;

3. decree other appropriate measures for the cessation of the violations at the request of the persons referred to in Article 67 (1) herein.

Article 69. (1) Organisations of and for persons with disabilities shall have the right to bring an action for compensation of the damage inflicted on the collective interests of people with disabilities.

(2) Where the claim for compensation has been lodged by more than one organisation, the compensation shall be awarded to all claimants for joint disposal.

(3) The compensation received may be expended only on protection of the interests of people with disabilities.

Article 70. (1) Where damage has been inflicted on two or more consumers, the organisations of and for persons with disabilities may bring an action on behalf of the said consumers before the court for compensation of the damage sustained by the said consumers, provided that:

1. the consumers can be identified;

2. the consumers have suffered individual damage caused by an identical manufacturer, importer or distributor of products referred to in Article 2 (1) herein or service supplier referred to in Article 2 (2) herein, and the damage is of identical origin;

3. the organisation has been authorised by an express power of attorney for representation in legal proceedings by at least two consumers to bring action for compensation on behalf of the said consumers and to represent the said consumers in the procedure.

(2) The conditions under Paragraph (1) must also be fulfilled for bringing a civil action in a criminal procedure according to the procedure established by the Criminal Procedure Code.

Article 71. The actions under this Section shall be brought according to the place of commission of the violation or according to the permanent address or registered office of the respondent.

Article 72. This Section shall not apply to any procurement award procedures according to the procedure established by the Public Procurement Act.

Chapter Six

ADMINISTRATIVE PENALTY PROVISIONS

Article 73. (1) Any manufacturer or importer, who or which places on the market and/or puts into service any product which does not comply with the accessibility requirements under Article 4 herein, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000 or to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 25,000, and in case of a repeated violation any such manufacturer or importer shall be liable to a fine of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000 or to a pecuniary penalty of BGN 10,000 or exceeding this amount but not exceeding BGN 50,000.

(2) Any manufacturer or importer, who or which places on the market and/or puts into

service any product whereof the conformity with the accessibility requirements under Article 4 herein has not been assessed according to the conformity assessment procedure under Article 7 herein, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000 or to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 25,000, and in case of a repeated violation any such manufacturer or importer shall be liable to a fine of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000 or to a pecuniary penalty of BGN 10,000 or exceeding this amount but not exceeding BGN 50,000.

(3) Any manufacturer or importer, who or which places on the market and/or puts into service any product bearing a CE marking or a EU declaration of conformity without an assessment of the conformity of the said product with the accessibility requirements under Article 4 herein, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000 or to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 25,000, and in case of a repeated violation any such manufacturer or importer shall be liable to a fine of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000 or to a pecuniary penalty of BGN 10,000 or exceeding this amount but not exceeding BGN 50,000.

Article 74. (1) Any manufacturer or importer, who or which places on the market and/or puts into service any product for which the requisite technical documentation has not been established, an EU declaration of conformity or another requisite document has not been drawn up, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000 or to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 25,000, and in case of a repeated violation any such manufacturer or importer shall be liable to a fine of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000 or to a pecuniary penalty of BGN 10,000 or exceeding this amount but not exceeding BGN 50,000.

(2) Any manufacturer or importer, who or which places on the market and/or puts into service any product for which the technical documentation and/or a EU declaration of conformity as established does not comply with the requirements of the law, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000 or to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 20,000, and in case of a repeated violation any such manufacturer or importer shall be liable to a fine of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000 or to a pecuniary penalty of BGN 10,000 or exceeding this amount but not exceeding BGN 50,000.

Article 75. (1) Any economic operator, who or which places on the market and/or puts into service any product without a CE marking affixed thereto, shall be liable to a fine of BGN 150 or exceeding this amount but not exceeding BGN 1,000 or to a pecuniary penalty of BGN 500 or exceeding this amount but not exceeding BGN 4,000, and in case of a repeated violation any such economic operator shall be liable to a fine of BGN 300 or exceeding this amount but not exceeding BGN 2,000 or to a pecuniary penalty of BGN 1,000 or exceeding this amount but not exceeding BGN 8,000.

(2) Any economic operator, who or which places on the market and/or puts into service any product bearing a CE marking in violation of Article 10 herein, shall be liable to a fine of BGN 150 or exceeding this amount but not exceeding BGN 800 or to a pecuniary penalty of BGN 250 or exceeding this amount but not exceeding BGN 2,000, and in case of a repeated violation any such economic operator shall be liable to a fine of BGN 300 or exceeding this amount but not exceeding BGN 1,600 or to a pecuniary penalty of BGN 500 or exceeding this amount but not exceeding BGN 4,000.

Article 76. (1) Any manufacturer, who or which draws up a EU declaration of conformity or another document whereof the content does not comply with the requirements of this Act, shall

be liable to a fine of BGN 250 or exceeding this amount but not exceeding BGN 1,000 or to a pecuniary penalty of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000, and in case of a repeated violation any such manufacturer shall be liable to a fine of BGN 500 or exceeding this amount but not exceeding BGN 2,000 or to a pecuniary sanction of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000.

(2) Any importer or distributor, who or which provides an EU declaration of conformity or another document whereof the content does not comply with the requirements of this Act, shall be liable to a fine of BGN 250 or exceeding this amount but not exceeding BGN 1,000 or to a pecuniary penalty of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000, and in case of a repeated violation any such importer or distributor shall be liable to a fine of BGN 500 or exceeding this amount but not exceeding BGN 2,000 or to a pecuniary sanction of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000.

Article 77. Any economic operator, who or which places on the market any product which does not bear a type, batch or serial number or other element allowing the identification of the said product according to the requirements of the law, shall be liable to a fine of BGN 200 or exceeding this amount but not exceeding BGN 1,000 or to a pecuniary penalty of BGN 750 or exceeding this amount but not exceeding BGN 2,500, and in case of a repeated violation any such economic operator shall be liable to a fine of BGN 400 or exceeding this amount but not exceeding BGN 2,000 or to a pecuniary penalty of BGN 1,500 or exceeding this amount but not exceeding BGN 5,000.

Article 78. Any economic operator, who or which places on the market any product without indicating thereon a name and registered trade name or registered trade mark and the postal address of the manufacturer and/or the importer according to the requirements of the law, shall be liable to a fine of BGN 200 or exceeding this amount but not exceeding BGN 1,000 or to a pecuniary penalty of BGN 750 or exceeding this amount but not exceeding BGN 2,500, and in case of a repeated violation any such economic operator shall be liable to a fine of BGN 400 or exceeding this amount but not exceeding BGN 2,000 or to a pecuniary penalty of BGN 1,500 or exceeding this amount but not exceeding BGN 5,000.

Article 79. Any economic operator, who or which places on the market any product which is not accompanied by instructions and safety information in Bulgarian according to the requirements of the law, shall be liable to a fine of BGN 200 or exceeding this amount but not exceeding BGN 1,000 or to a pecuniary penalty of BGN 750 or exceeding this amount but not exceeding BGN 2,500, and in case of a repeated violation any such economic operator shall be liable to a fine of BGN 400 or exceeding this amount but not exceeding BGN 2,000 or to a pecuniary penalty of BGN 1,500 or exceeding this amount but not exceeding BGN 5,000.

Article 80. Any manufacturer, who or which fails to fulfil the obligations thereof under Article 11 (4) herein, shall be liable to a fine of BGN 500 or exceeding this amount but not exceeding BGN 1,000 or to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 10,000, and in case of a repeated violation any such manufacturer shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 2,000 or to a pecuniary penalty of BGN 10,000 or exceeding this amount but not exceeding BGN 20,000.

Article 81. Any importer, who or which fails to fulfil the obligations thereof under Article 23 herein, shall be liable to a fine of BGN 500 or exceeding this amount but not exceeding BGN 1,000 or to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 10,000, and in case of a repeated violation any such manufacturer shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 2,000 or to a pecuniary penalty of BGN 10,000 or exceeding this amount but not exceeding BGN 20,000.

Article 82. Any person, who or which obstructs the performance of the official duties of the market surveillance authorities and/or fails to provide the documents referred to in Article 35 herein, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000 or to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 20,000, and in case of a repeated violation any such person shall be liable to a fine of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000 or to a pecuniary penalty of BGN 10,000 or exceeding this amount but not exceeding BGN 25,000.

Article 83. Any person blameworthy of non-compliance with or of breach of the restrictive measures under Article 39 herein shall be liable to a fine of BGN 200 or exceeding this amount but not exceeding BGN 1,000 or to a pecuniary penalty of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000, and in case of a repeated violation any such person shall be liable to a fine of BGN 400 or exceeding this amount but not exceeding BGN 2,000 or to a pecuniary penalty of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000.

Article 84. Any economic operator, who or which makes products available on the market and derelicts an obligation under Article 3 herein, shall be liable to a fine of BGN 500 or exceeding this amount but not exceeding BGN 3,000 or to a pecuniary penalty of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000, and in case of a repeated violation any such economic operator shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 6,000 or to a pecuniary penalty of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000.

Article 85. Any economic operator blameworthy of other violations of provisions of, or non-fulfilment of obligations under, this Act relating to products shall be liable to a fine of BGN 200 or exceeding this amount but not exceeding BGN 1,000 or to a pecuniary penalty of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000, and in case of a repeated violation any such economic operator shall be liable to a fine of BGN 400 or exceeding this amount but not exceeding BGN 2,000 or to a pecuniary penalty of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000.

Article 86. Any service provider, who or which derelicts an obligation under Article 3 herein, shall be liable to a fine of BGN 500 or exceeding this amount but not exceeding BGN 3,000 or to a pecuniary penalty of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000, and in case of a repeated violation any such service provider shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 6,000 or to a pecuniary penalty of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000.

Article 87. Any service provider, who or which, when requested to do so according to the procedure established by Article 53 (1) herein, fails to provide information or provides false, incomplete or inaccurate information, or not within the time limit that may be set by the request, or fails to provide the information in Bulgarian, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 10,000 or to a pecuniary penalty of BGN 2,000 or exceeding this amount but not exceeding BGN 15,000, and in case of a repeated violation any such service provider shall be liable to a fine of BGN 2,000 or exceeding this amount but not exceeding BGN 20,000 or to a pecuniary penalty of BGN 4,000 or exceeding this amount but not exceeding BGN 30,000.

Article 88. Any person, who or which fails to exercise control under Article 55 (1) herein, shall be liable to a fine of BGN 2,000 or exceeding this amount but not exceeding BGN 10,000 or to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 15,000, and in case of a repeated violation any such person shall be liable to a fine of BGN 4,000 or exceeding this amount but not exceeding BGN 20,000 or to a pecuniary penalty of BGN 10,000

or exceeding this amount but not exceeding BGN 30,000.

Article 89. Any dereliction of an obligation under Chapter Three herein, for which no other penalty is provided, shall be punishable by a fine of BGN 1,500 or exceeding this amount but not exceeding BGN 10,000 or to a pecuniary penalty of BGN 3,000 or exceeding this amount but not exceeding BGN 20,000, and any repeated violation shall be punishable by a fine of BGN 3,000 or exceeding this amount but not exceeding BGN 20,000 or to a pecuniary penalty of BGN 6,000 or exceeding this amount but not exceeding BGN 40,000.

Article 90. (1) The written statements ascertaining the violations referred to in Articles 73 to 85 herein shall be drawn up by officials designated by the President of the State Agency for Metrological and Technical Surveillance.

(2) In the cases referred to in Paragraph (1), the penalty decrees shall be issued by the President of the State Agency for Metrological and Technical Surveillance or by officials empowered thereby.

(3) The proceeds of fines or pecuniary penalties imposed by the penalty decrees referred to in Paragraph (2), as well as the sums for reimbursement of the costs of taking and testing samples of products according to Article 38 (1) and (3) herein, shall be credited to the budget account of the State Agency for Metrological and Technical Surveillance.

Article 91. (1) The written statements ascertaining the violations referred to in Articles 86 to 89 herein shall be drawn up by the authority referred to Article 54 (1) herein, the head of the said authority or an official designated by the said head.

(2) On the basis of the written statements referred to in Paragraph (1), the authority referred to in Article 54 (1) herein, the head of the said authority or an official designated by the said head shall issue penalty decrees, reasoned endorsements to terminate the administrative penalty proceedings, warnings under Article 28 of the Administrative Violations and Sanctions Act, or shall conclude agreements under Article 58d of the Administrative Violations and Sanctions Act.

Article 92. The ascertainment of violations, the issuance, appeal and enforcement of penalty decrees shall follow the procedure established by the Administrative Violations and Sanctions Act.

SUPPLEMENTARY PROVISIONS

§ 1. (1) Within the meaning given by this Act:

1. "Audiovisual media services" shall be services as defined in Article 2 (2) of the Radio and Television Act.

2. "Importer" shall be any natural or legal person established within the European Union who or which places a product from a third country on the market.

3. "Urban and suburban transport services" shall be passenger transport services by rail, bus and coach, metro, tram and trolley bus whose principal purpose is to meet the transport needs of an urban centre or conurbation, including a cross-border conurbation, together with transport needs between such a centre or conurbation and surrounding areas.

4. "Distributor" shall be any natural or legal person in the supply chain, other than the manufacturer or the importer, who or which makes a product available on the market.

5. "Service provider" shall be any natural or legal person who or which provides a service on the European Union market or makes offers to provide such a service to consumers in the European Union.

6. "E-reader" shall be dedicated equipment, including both hardware and software, used to access, navigate, read and use e-book files.

7. "E-book and dedicated software" shall be a service, consisting of the provision of digital files that convey an electronic version of a book, that can be accessed, navigated, read and used and the software including mobile device-based services including mobile applications dedicated to the accessing, navigation, reading and use of those digital files, and it excludes software covered under the definition in Item 6.

8. "Electronic communications service" shall be electronic communications service as defined in Item 17 of § 1 of the Supplementary Provisions of the Electronic Communications Act.

9. "Electronic tickets" shall be any system in which an entitlement to travel, in the form of single or multiple travel tickets, travel subscriptions or travel credit, is stored electronically on a physical transport pass or other device, instead of being printed on a paper ticket.

10. "Withdrawal" shall be any measure aimed at preventing a product in the supply chain from being made available on the market.

11. "Economic operator" shall be the manufacturer, the authorised representative, the importer, the distributor or the service provider.

12. "Interactive computing capability" shall be functionality supporting human-device interaction allowing for processing and transmission of data, voice or video or any combination thereof.

13. "Communication" shall be communication as defined in Item 3 of § 1 of the Supplementary Provision of the Persons with Disabilities Act.

14. "Small and medium-sized enterprises" shall be enterprises which employ fewer than 250 persons and which have an annual turnover not exceeding EUR 50,000,000 or the lev equivalent thereof, or an annual balance sheet total not exceeding EUR 43,000,000 or the lev equivalent thereof, but excludes microenterprises.

15. "Microenterprise" shall be an enterprise which employs fewer than 10 persons and which has an annual turnover not exceeding EUR 2,000,000 or the lev equivalent thereof or an annual balance sheet total not exceeding EUR 2,000,000 or the lev equivalent thereof.

16. "Most appropriate public safety answering point" shall be a public safety answering point as defined in Item 32a of § 1 of the Supplementary Provisions of the Electronic Communications Act.

17. "Operating system" shall be software, which, inter alia, handles the interface to peripheral hardware, schedules tasks, allocates storage, and presents a default interface to the user when no application program is running including a graphical user interface, regardless of whether such software is an integral part of consumer general purpose computer hardware, or constitutes free-standing software intended to be run on consumer general purpose computer hardware, but excluding an operating system loader, basic input/output system, or other firmware required at boot time or when installing the operating system.

18. "Organisations for persons with disabilities" shall be organisations as defined in Item 12 of § 1 of the Supplementary Provision of the Persons with Disabilities Act.

19. "Organisations of persons with disabilities" shall be organisations as defined in Item 11 of § 1 of the Supplementary Provision of the Persons with Disabilities Act.

20. "Payment terminal" shall be a device whereof the main purpose is to allow payments to be made by using payment instruments as defined in Item 30 of § 1 of the Supplementary Provisions of the Payment Services and Payment Systems Act at a physical point of sale but not in a virtual environment.

21. "Repeated violation" shall be any violation committed within one year after the entry into effect of a penalty decree whereby a sanction for a violation of the same type has been

imposed on the offender concerned.

22. "Assistive technology" shall be any item, piece of equipment, service or product system including software that is used to increase, maintain, substitute or improve functional capabilities of persons with disabilities or for, alleviation and compensation of impairments, activity limitations or participation restrictions.

23. "Consumer" shall be any natural person who purchases the relevant product or is a recipient of the relevant service for purposes which are outside the trade, business, craft or profession thereof;

24. "Consumer general purpose computer hardware system" shall be the combination of hardware which forms a complete computer, characterised by its multipurpose nature, its ability to perform, with the appropriate software, most common computing tasks requested by consumers and intended to be operated by consumers, including personal computers, in particular desktops, notebooks, smartphones and tablets.

25. "Consumer banking services" shall be the provision to consumers of the following banking and financial services:

(a) credit agreements covered by the Consumer Credit Act or the Credits Related to Immovable Property Act;

(b) services referred to in Items 1, 2, 4 and 5 of Article 6 (2) and Items 1, 2, 4 and 5 of Article 6 (3) of the Markets in Financial Instruments Act;

(c) payment services referred to in Article 4 of the Payment Services and Payment Systems Act;

(d) services linked to the payment account as defined in Item 60 of § 1 of the Supplementary Provisions of the Payment Services and Payment Systems Act, and

(e) electronic money referred to in Article 34 of the Payment Services and Payment Systems Act.

26. "Consumer terminal equipment with interactive computing capability, used for accessing audiovisual media services" shall be any equipment whereof the main purpose is to provide access to audiovisual media services.

27. "Making available on the market" shall be any supply of a product for distribution, consumption or use on the European Union market in the course of a commercial activity, whether in return for payment or free of charge.

28. "Manufacturer" shall be any natural or legal person who or which manufactures a product or has a product designed or manufactured, and markets that product under its name or trademark.

29. "Placing on the market" shall be the first making available of a product on the European Union market.

30. "Regional transport services" shall be passenger transport services by rail, bus and coach, metro, tram and trolley bus whose principal purpose is to meet the transport needs of a region, including a cross-border region.

31. "Emergency service" shall be emergency service as defined in Item 64a of § 1 of the Supplementary Provisions of the Electronic Communications Act.

32. "Emergency communication" shall be emergency communication as defined in Item 74 of § 1 of the Supplementary Provisions of the Electronic Communications Act.

33. "Real time text" shall be a form of text conversation in point to point situations or in multipoint conferencing where the text being entered is sent in such a way that the communication is perceived by the user as being continuous on a character-by-character basis.

34. "Technical specification" shall be a technical specification as defined in point 4 of

Article 2 of Regulation (EU) No. 1025/2012 of 25 October 2012 of the European Parliament and of the Council on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316/12 of 14 November 2012), hereinafter referred to as "Regulation (EU) No. 1025/2012", that provides a means to comply with the accessibility requirements applicable to a product or service.

35. "Authorised representative" shall be any natural or legal person established within the European Union who or which has received a written mandate from a manufacturer to act on its behalf in relation to specified tasks.

36. "Total conversation service" shall be total conversation service as defined in Item 72b of § 1 of the Supplementary Provisions of the Electronic Communications Act.

37. "Bus passenger transport services" shall be services covered by Article 2(1) and (2) of Regulation (EU) No. 181/2011.

38. "Waterborne passenger transport services" shall be passenger services covered by Article 2(1) of Regulation (EU) No. 1177/2010, with the exception of services referred to in Article 2(2) of that Regulation.

39. "Air passenger transport services" shall be commercial passenger air services, as defined in point (l) of Article 2 of Regulation (EC) No. 1107/2006, on departure from, on transit through, or on arrival at an airport, when the airport is situated in the territory of a Member State, including flights departing from an airport situated in a third country to an airport situated in the territory of a Member State where the services are operated by European Union air carriers.

40. "E-commerce services" shall be services provided at a distance, through websites and mobile device-based services by electronic means and at the individual request of a consumer with a view to concluding a consumer contract.

41. "Electronic ticketing services" shall be any system in which passenger transport tickets are purchased including online using a device with interactive computing capability, and delivered to the purchaser in electronic form, to enable them to be printed in paper form or displayed using a mobile device with interactive computing capability when travelling.

42. "Rail passenger transport services" shall be all rail passenger services as referred to in Article 2(1) of Regulation (EU) 2021/782.

43. "Services providing access to audiovisual media services" shall be services transmitted by electronic communications networks which are used to identify, select, receive information on, and view audiovisual media services and any provided features, such as subtitles for the deaf and hard of hearing, audio description, spoken subtitles and Bulgarian sign language interpretation, which result from the implementation of measures to make services accessible as referred to in Article 8a of the Radio and Television Act, and includes electronic programme guides.

44. "Harmonised standard" shall be a harmonised standard as defined in point 1(c) of Article 2 of Regulation (EU) No. 1025/2012.

45. "Persons with disabilities" shall be persons who have long-term physical, mental, intellectual or sensory impairments which in interaction with their environment may hinder their full and effective participation in society on an equal basis with others.

46. "Public safety answering point" shall be a public safety answering point as defined in Item 38 of § 1 of the Supplementary Provisions of the Electronic Communications Act.

(2) Within the meaning given by Article 60:

1. "Product" shall be a substance, preparation, or good produced through a manufacturing process, other than food, feed, living plants and animals, products of human origin and products of plants and animals relating directly to their future reproduction.

2. "Service" shall be a service as defined in Article 2 (1) of the Service Activities Act.

§ 2. This Act:

1. transposes requirements of Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151/70 of 7 June 2019);

2. provides for measures implementing Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No. 765/2008 and (EU) No. 305/2011 (OJ L 169/1 of 25 June 2019).

TRANSITIONAL AND FINAL PROVISIONS

§ 3. Any violations under Articles 73 to 89 herein committed until the 1st day of June 2026 shall be punishable by fines and pecuniary penalties under Chapter Six herein at an amount reduced by 50 per cent compared to that established.

§ 4. (1) Until the 28th day of June 2030, service providers may continue to provide the services thereof using products which were lawfully used thereby to provide similar services before that date.

(2) Any service contracts concluded before the 28th day of June 2025 may continue without alteration until they expire, but no longer than five years from that date.

(3) Self-service terminals lawfully used by service providers for the provision of services before the 28th day of June 2025 may continue to be used in the provision of similar services until the end of the economically useful life thereof, but no longer than 20 years after their entry into use.

(4) Until the 28th day of June 2027, the obligations under Section IV (a) of Annex 2 hereto with regard to emergency communications may alternatively be fulfilled through a relay service provider, including by applications built-in in the operating system of terminal equipment or other applications owned by the economic operator or by a third party.

§ 5. (Effective 28.06.2027 - SG No. 31/2025) The Act on the National Emergency Call System Employing the Single European Number "112" (promulgated in the State Gazette No. 102 of 2008; amended in No. 93 of 2009, No. 88 of 2010, Nos. 51 and 60 of 2016, No. 97 of 2017 and No. 58 of 2019) shall be amended and supplemented as follows:

1. In Article 8, there shall be added a new Paragraph (3):

"(3) Emergency communications for persons having hearing or speech impairments shall be handled by the most appropriate public safety answering point using the same communication means as received, and namely:

1. by using synchronised voice and text (including real time text), or

2. where video is provided, voice, text (including real time text) and video synchronised as total conversation."

2. In § 1 of the Supplementary Provisions:

(a) Item 4 shall be amended to read as follows:

"4. "Emergency communication" shall be emergency communication according to Item 74 of § 1 of the Supplementary Provisions of the Electronic Communications Act.";

(b) there shall be added Items 7, 8 and 9:

"7. "Most appropriate public safety answering point" shall be a public safety answering point as defined in Item 32a of § 1 of the Supplementary Provisions of the Electronic Communications Act.

8. "Real time text" shall be a form of text conversation in point to point situations or in multipoint conferencing where the text being entered is sent in such a way that the communication is perceived by the user as being continuous on a character-by-character basis.

9. "Total conversation service" shall be total conversation service according to Item 72b of § 1 of the Supplementary Provisions of the Electronic Communications Act."

§ 6. The Financial Supervision Commission Act (promulgated in the State Gazette No. 8 of 2003; amended in Nos. 31, 67 and 112 of 2003, No. 85 of 2004, Nos. 39, 103 and 105 of 2005, Nos. 30, 56, 59 and 84 of 2006, Nos. 52, 97 and 109 of 2007, No. 67 of 2008, Nos. 24 and 42 of 2009, Nos. 43 and 97 of 2010, No. 77 of 2011, Nos. 21, 38, 60, 102 and 103 of 2012, Nos. 15 and 109 of 2013, Nos. 34, 62 and 102 of 2015, Nos. 42 and 76 of 2016; [modified by] Constitutional Court Decision No. 10 of 2017, [promulgated in] No. 57 of 2017; amended in Nos. 62, 92, 95 and 103 of 2017, Nos. 7, 15, 24, 27, 77 and 101 of 2018, Nos. 12, 17, 42, 83, 94 and 102 of 2019, Nos. 26 and 64 of 2020, No. 21 of 2021, Nos. 16, 25 and 51 of 2022 and Nos. 8, 60, 65, 84 and 85 of 2023) shall be amended and supplemented as follows:

1. There shall be added an Item 29 in Article 12 (1):

"29. be an authority under Item 7 of Article 54 (1) of the Accessibility Requirements for Products and Services Act."

2. There shall be added an Item 47 in Article 13 (1):

"47. acting on a proposal by the Deputy Chairperson in charge of the respective area of supervision, to exercise the powers referred to in Article 54 (3) and (4) of the Accessibility Requirements for Products and Services Act."

3. In Article 15 (1):

(a) in Item 6, after the words "the Measures Against the Financing of Terrorism Act", there shall be placed a comma and there shall be inserted "the Accessibility Requirements for Products and Services Act";

(b) in Item 7, after the words "the Measures Against the Financing of Terrorism Act", there shall be placed a comma and there shall be inserted "the Accessibility Requirements for Products and Services Act";

(c) there shall be added an Item 24:

"24. shall exercise the powers of an authority under Item 7 of Article 54 (1) of the Accessibility Requirements for Products and Services Act which do not fall within the explicit competence of the Commission."

4. In Items 1 and 6 of Article 18 (1), after the words "the Measures Against the Financing of Terrorism Act", there shall be placed a comma and there shall be inserted "the Accessibility Requirements for Products and Services Act".

5. In Item 1 of Article 19 (1), after the words "the Measures Against the Financing of Terrorism Act", there shall be placed a comma and there shall be inserted "the Accessibility Requirements for Products and Services Act".

§ 7. (Effective 11.04.2025 - SG No. 31/2025) In the Social Services Act (promulgated in the State Gazette No. 24 of 2019; amended in No. 101 of 2019; [modified by] Constitutional Court Decision No. 9 of 2020, [promulgated in] No. 65 of 2020; amended in Nos. 71 and 110 of 2020, No. 14 of 2021, Nos. 8 and 104 of 2022, No. 108 of 2023 and No. 6 of 2025), § 1 of the Supplementary Provision shall be repealed.

§ 8. In the Electronic Government Act (promulgated in the State Gazette No. 46 of 2007;

amended in No. 82 of 2009, No. 20 of 2013, No. 40 of 2014, Nos. 13, 38, 50, 62 and 98 of 2016, Nos. 88 and 94 of 2018, Nos. 94 and 102 of 2019, Nos. 69 and 85 of 2020, No.15 of 2022 and Nos. 66 and 80 of 2023), in Article 58c (2), there shall be added an Item 3:

"3. websites and mobile applications subject to accessibility requirements according to the Accessibility Requirements for Products and Services Act."

§ 9. This Act shall enter into force as from the 28th day of June 2025 with the exception of:

1. § 5 herein, which shall enter into force as from the 28th day of June 2027;

2. § 7 herein, which shall enter into force as from the day of promulgation of this Act in the State Gazette.

This Act was adopted by the 51st National Assembly on the 28th day of March 2025 and bears the Official Seal of the National Assembly.

Annex 1

to Article 3 (2)

CRITERIA FOR ASSESSMENT OF DISPROPORTIONATE BURDEN

Criteria to carry out and document the assessment:

1. Ratio of the net costs of compliance with accessibility requirements to the overall costs (operating and capital expenditures) of manufacturing, distributing or importing the product or providing the service for the economic operators.

Elements to use to assess the net costs of compliance with accessibility requirements:

(a) criteria related to one-off organisational costs to take into account in the assessment:

(aa) costs related to additional human resources with accessibility expertise;

(bb) costs related to training human resources and acquiring competences on accessibility;

(cc) costs of development of a new process for including accessibility in the product development or service provision;

(dd) costs related to development of guidance material on accessibility;

(ee) one-off costs of understanding the legislation on accessibility;

(b) criteria related to on-going production and development costs to take into account in the assessment:

(aa) costs related to the design of the accessibility features of the product or service;

(bb) costs incurred in the manufacturing processes;

(cc) costs related to testing the product or service for accessibility;

(dd) costs related to establishing documentation.

2. The estimated costs and benefits for the economic operators, including production processes and investments, in relation to the estimated benefit for persons with disabilities, taking into account the amount and frequency of use of the specific product or service.

3. Ratio of the net costs of compliance with accessibility requirements to the net turnover of the economic operator.

Elements to use to assess the net costs of compliance with accessibility requirements:

(a) criteria related to one-off organisational costs to take into account in the assessment:

(aa) costs related to additional human resources with accessibility expertise;

(bb) costs related to training human resources and acquiring competences on accessibility;

(cc) costs of development of a new process for including accessibility in the product development or service provision;

(dd) costs related to development of guidance material on accessibility;

(ee) one-off costs of understanding the legislation on accessibility;

(b) criteria related to on-going production and development costs to take into account in the

assessment:

- (aa) costs related to the design of the accessibility features of the product or service;
- (bb) costs incurred in the manufacturing processes;
- (cc) costs related to testing the product or service for accessibility;
- (dd) costs related to establishing documentation.

Annex 2

to Article 4 and Article 46

ACCESSIBILITY REQUIREMENTS FOR PRODUCTS AND SERVICES

Section I

Accessibility Requirements for All Products under Article 2 (1)

Products must be designed and produced in such a way as to maximise their foreseeable use by persons with disabilities. Products shall be accompanied, where possible in or on the product, by accessible information on their functioning and on their accessibility features.

1. Requirements on the provision of information:

(a) the information on the use of the product provided on the product itself (labelling, instructions and warning) shall be:

- (aa) made available via more than one sensory channel;
- (bb) presented in an understandable way;
- (cc) presented to users in ways they can perceive;

(dd) presented in fonts of adequate size and suitable shape, taking into account foreseeable conditions of use, and using sufficient contrast, as well as adjustable spacing between letters, lines and paragraphs;

(b) the instructions for use of a product, where not provided on the product itself but made available through the use of the product or through other means such as a website, including the accessibility functions of the product, how to activate them and their interoperability with assistive solutions shall be publicly available when the product is placed on the market and shall:

- (aa) be made available via more than one sensory channel;
- (bb) be presented in an understandable way;
- (cc) be presented to users in ways they can perceive;

(dd) be presented in fonts of adequate size and suitable shape, taking into account foreseeable conditions of use and using sufficient contrast, as well as adjustable spacing between letters, lines and paragraphs;

(ee) with regard to content, be made available in text formats that can be used for generating alternative assistive formats to be presented in different ways and via more than one sensory channel;

(ff) be accompanied by an alternative presentation of any non-textual content;

(gg) include a description of the user interface of the product (handling, control and feedback, input and output) which is provided in accordance with Item 2; the description shall indicate for each of the points in Item 2 whether the product provides those features;

(hh) include a description of the functionality of the product which is provided by functions aiming to address the needs of persons with disabilities in accordance with Item 2; the description shall indicate for each of the points in Item 2 whether the product provides those features;

(ii) include a description of the software and hardware interfacing of the product with assistive

devices; the description shall include a list of those assistive devices which have been tested together with the product.

2. User interface and functionality design:

The product, including its user interface, shall contain features, elements and functions that allow persons with disabilities to access, perceive, operate, understand and control the product by ensuring that:

(a) when the product provides for communication, including interpersonal communication, operation, information, control and orientation, it shall do so via more than one sensory channel; this shall include providing alternatives to vision, auditory, speech and tactile elements;

(b) when the product uses speech, it shall provide alternatives to speech and vocal input for communication, operation control and orientation;

(c) when the product uses visual elements, it shall provide for flexible magnification, brightness and contrast for communication, information and operation, as well as ensure interoperability with programmes and assistive devices to navigate the interface;

(d) when the product uses colour to convey information, indicate an action, require a response or identify elements, it shall provide an alternative to colour;

(d) when the product uses audible signals to convey information, indicate an action, require a response or identify elements, it shall provide an alternative to audible signals;

(f) when the product uses visual elements, it shall provide for flexible ways of improving vision clarity;

(g) when the product uses audio, it shall provide for user control of volume and speed, and enhanced audio features including the reduction of interfering audio signals from surrounding products and audio clarity;

(h) when the product requires manual operation and control, it shall provide for sequential control and alternatives to fine motor control, avoiding the need for simultaneous controls for manipulation, and shall use tactile discernible parts;

(i) the product shall avoid modes of operation requiring extensive reach and great strength;

(j) the product shall avoid triggering photosensitive seizures;

(k) the product shall protect the user's privacy when he or she uses the accessibility features;

(l) the product shall provide an alternative to biometrics identification and control;

(m) the product shall ensure the consistency of the functionality and shall provide enough, and flexible amounts of, time for interaction;

(n) the product shall provide software and hardware for interfacing with the assistive technologies;

(o) the product shall comply with the following sector-specific requirements:

(aa) self-service terminals:

(aaa) shall provide for text-to-speech technology;

(bbb) shall allow for the use of personal headsets;

(ccc) where a timed response is required, shall alert the user via more than one sensory channel;

(ddd) shall give the possibility to extend the time given;

(eee) shall have an adequate contrast and tactilely discernible keys and controls when keys and controls are available;

(fff) shall not require an accessibility feature to be activated in order to enable a user who needs the feature to turn it on;

(ggg) when the product uses audio or audible signals, it shall be compatible with assistive

devices and technologies available at European Union level, including hearing technologies such as hearing aids, telecoils, cochlear implants and assistive listening devices;

(bb) e-readers shall provide for text-to-speech technology;

(cc) consumer terminal equipment with interactive computing capability, used for the provision of electronic communications services:

(aaa) shall, when such products have text capability in addition to voice, provide for the handling of real time text and support high fidelity audio;

(bbb) shall, when they have video capabilities in addition to or in combination with text and voice, provide for the handling of total conversation including synchronised voice, real time text, and video with a resolution enabling Bulgarian sign language communication;

(ccc) shall ensure effective wireless coupling to hearing technologies;

(ddd) shall avoid interferences with assistive devices;

(eee) consumer terminal equipment with interactive computing capability, used for accessing audio visual media services shall make available to persons with disabilities the accessibility components provided by the audiovisual media service provider, for user access, selection, control, and personalisation and for transmission to assistive devices.

3. Support services:

Where available, support services (help desks, call centres, technical support, relay services and training services) shall provide information on the accessibility of the product and its compatibility with assistive technologies, in accessible modes of communication.

Section II

Accessibility Requirements for the Products under Article 2 (1), Except for the Self-Service Terminals under Item 2 of Article 2 (1)

In addition to the requirements of Section I, the packaging and instructions of products covered by this Section shall be made accessible, in order to maximise their foreseeable use by persons with disabilities. This means that:

(a) the packaging of the product including the information provided in it (e.g. about opening, closing, use, disposal), including, when provided, information about the accessibility characteristics of the product, shall be made accessible; and, when feasible, that accessible information shall be provided on the package;

(b) the instructions for the installation and maintenance, storage and disposal of the product not provided on the product itself but made available through other means, such as a website, shall be publicly available when the product is placed on the market and shall comply with the following requirements:

(aa) be available via more than one sensory channel;

(bb) be presented in an understandable way;

(cc) be presented to users in ways they can perceive;

(dd) be presented in fonts of adequate size and suitable shape, taking into account foreseeable conditions of use, and using sufficient contrast, as well as adjustable spacing between letters, lines and paragraphs;

(ee) content of instructions shall be made available in text formats that can be used for generating alternative assistive formats to be presented in different ways and via more than one sensory channel; and

(ff) instructions containing any non-textual content shall be accompanied by an alternative

presentation of that content.

Section III

Accessibility Requirements for All Services under Article 2 (2), Except for Urban, Suburban and Regional Transport Services under Item 4 of Article 2 (2)

The provision of services in order to maximise their foreseeable use by persons with disabilities, shall be achieved by:

(a) ensuring the accessibility of the products used in the provision of the service, in accordance with Section I and, where applicable, Section II;

(b) providing information about the functioning of the service, and where products are used in the provision of the service, its link to these products as well as information about their accessibility characteristics and interoperability with assistive devices and facilities:

(aa) making the information available via more than one sensory channel;

(bb) presenting the information in an understandable way;

(cc) presenting the information to users in ways they can perceive;

(dd) making the information content available in text formats that can be used to generate alternative assistive formats to be presented in different ways by the users and via more than one sensory channel;

(ee) presenting in fonts of adequate size and suitable shape, taking into account foreseeable conditions of use and using sufficient contrast, as well as adjustable spacing between letters, lines and paragraphs;

(ff) supplementing any non-textual content with an alternative presentation of that content; and

(gg) providing electronic information needed in the provision of the service in a consistent and adequate way by making it perceivable, operable, understandable and robust;

(c) making websites, including the related online applications, and mobile device-based services, including mobile applications, accessible in a consistent and adequate way by making them perceivable, operable, understandable and robust;

(d) where available, support services (help desks, call centres, technical support, relay services and training services) providing information on the accessibility of the service and its compatibility with assistive technologies, in accessible modes of communication.

Section IV

Additional Accessibility Requirements for Specific Services

The provision of services in order to maximise their foreseeable use by persons with disabilities, shall be achieved by including functions, practices, policies and procedures and alterations in the operation of the service targeted to address the needs of persons with disabilities and ensure interoperability with assistive technologies:

(a) electronic communications services, including emergency communications within the meaning given by the Electronic Communications Act:

(aa) providing real time text in addition to voice communication;

(bb) providing total conversation where video is provided in addition to voice communication;

(cc) ensuring that emergency communications using voice, text (including real time text) is synchronised and where video is provided is also synchronised as total conversation and is

transmitted by the electronic communications service providers to the most appropriate public safety answering point;

(b) services providing access to audiovisual media services: audiovisual media services:

(aa) providing electronic programme guides which are perceivable, operable, understandable and robust and provide information about the availability of accessibility;

(bb) ensuring that the accessibility components (access services) of the audiovisual media services such as subtitles for the deaf and hard of hearing, audio description, spoken subtitles and Bulgarian sign language interpretation are fully transmitted with adequate quality for accurate display, and synchronised with sound and video, while allowing for user control of their display and use;

(c) air, bus, rail and waterborne passenger transport services except for urban and suburban transport services and regional transport services:

(aa) ensuring the provision of information on the accessibility of vehicles, the surrounding infrastructure and the built environment and on assistance for persons with disabilities;

(bb) ensuring the provision of information about smart ticketing (electronic reservation, booking of tickets, etc.), real-time travel information (timetables, information about traffic disruptions, connecting services, onwards travel with other transport modes, etc.), and additional service information (e.g. staffing of stations, lifts that are out of order or services that are temporarily unavailable);

(d) urban and suburban transport services and regional transport services: ensuring the accessibility of self-service terminals used in the provision of the service in accordance with Section I;

(e) consumer banking services:

(aa) providing identification methods, electronic signatures, security, and payment services which are perceivable, operable, understandable and robust;

(bb) ensuring that the information is understandable, without exceeding a level of complexity superior to level B2 (upper intermediate) of the Council of Europe's Common European Framework of Reference for Languages;

(f) e-books:

(aa) ensuring that, when an e-book contains audio in addition to text, it then provides synchronised text and audio;

(bb) ensuring that e-book digital files do not prevent assistive technology from operating properly;

(cc) ensuring access to the content, the navigation of the file content and layout including dynamic layout, the provision of the structure, flexibility and choice in the presentation of the content;

(dd) allowing alternative renditions of the content and its interoperability with a variety of assistive technologies, in such a way that it is perceivable, understandable, operable and robust;

(ee) making them discoverable by providing information through metadata about their accessibility features;

(ff) ensuring that digital rights management measures do not block accessibility features;

(g) e-commerce services:

(aa) providing the information concerning accessibility of the products and services being sold when this information is provided by the responsible economic operator;

(bb) ensuring the accessibility of the functionality for identification, security and payment when delivered as part of a service instead of a product by making it perceivable, operable,

understandable and robust;

(cc) providing identification methods, electronic signatures, and payment services which are perceivable, operable, understandable and robust.

Section V

Accessibility Requirements for Features, Elements or Functions of Products and Services under Article 60

The presumption to fulfil the relevant obligations set out in other European Union acts concerning features, elements or functions of products and services requires the following:

1. Products:

(a) the accessibility of the information concerning the functioning and accessibility features related to products complies with the corresponding elements set out in Item 1 of Section I, namely information on the use of the product provided on the product itself and the instructions for use of a product, not provided in the product itself but made available through the use of the product or other means such as a website;

(b) the accessibility of features, elements and functions of the user interface and the functionality design of products complies with the corresponding accessibility requirements of such user interface or functionality design set out in Item 2 of Section I;

(c) the accessibility of the packaging, including the information provided therein and instructions for the installation and maintenance, storage and disposal of the product not provided in the product itself but made available through other means such as a website, except for self-service terminals complies with the corresponding accessibility requirements set out in Section II.

2. Services:

The accessibility of the features, elements and functions of services complies with the corresponding accessibility requirements for those features, elements and functions set out in Sections III and IV.

Section VI

Functional Performance Criteria

In order to maximise the foreseeable use by persons with disabilities, when the accessibility requirements, set out in Sections I to V, do not address one or more functions of the design and production of products or the provision of services those functions or means shall be accessible by complying with the related functional performance criteria.

Those functional performance criteria may only be used as an alternative to one or more specific technical requirements, when these are referred to in the accessibility requirements, if and only if the application of the relevant functional performance criteria complies with the accessibility requirements and it determines that the design and production of products and the provision of services results in equivalent or increased accessibility for the foreseeable use by persons with disabilities:

(a) usage without vision where the product or service provides visual modes of operation, it shall provide at least one mode of operation that does not require vision;

(b) usage with limited vision where the product or service provides visual modes of operation, it shall provide at least one mode of operation that enables users to operate the product with limited

vision;

(c) usage without perception of colour where the product or service provides visual modes of operation, it shall provide at least one mode of operation that does not require user perception of colour;

(d) usage without hearing where the product or service provides auditory modes of operation, it shall provide at least one mode of operation that does not require hearing;

(e) usage with limited hearing where the product or service provides auditory modes of operation, it shall provide at least one mode of operation with enhanced audio features that enables users with limited hearing to operate the product;

(f) usage without vocal capability where the product or service requires vocal input from users, it shall provide at least one mode of operation that does not require vocal input. Vocal input includes any orally-generated sounds like speech, whistles or clicks;

(g) usage with limited manipulation or strength where the product or service requires manual actions, it shall provide at least one mode of operation that enables users to make use of the product through alternative actions not requiring fine motor control and manipulation, hand strength or operation of more than one control at the same time;

(h) usage with limited reach the operational elements of products shall be within reach of all users; where the product or service provides a manual mode of operation, it shall provide at least one mode of operation that is operable with limited reach and limited strength;

(i) minimising the risk of triggering photosensitive seizures where the product provides visual modes of operation, it shall avoid modes of operation that trigger photosensitive seizures;

(j) usage with limited cognition the product or service shall provide at least one mode of operation incorporating features that make it simpler and easier to use;

(k) privacy where the product or service incorporates features that are provided for accessibility, it shall provide at least one mode of operation that maintains privacy when using those features that are provided for accessibility.

Annex 3
to Article 7

PRODUCTS CONFORMITY ASSESSMENT PROCEDURE

1. Internal production control

Internal production control is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in Items 2, 3 and 4, and ensures and declares on its sole responsibility that the product concerned satisfy the appropriate requirements under Article 4 herein.

2. Technical documentation

The manufacturer shall establish the technical documentation. The technical documentation shall make it possible to assess the conformity of the product to the relevant accessibility requirements referred to in Article 4 herein and, in case the manufacturer relied on Article 3 herein, to demonstrate that relevant accessibility requirements would introduce a fundamental alteration or impose a disproportionate burden. The technical documentation shall specify only the applicable requirements and cover, as far as relevant for the assessment, the design, manufacture and operation of the product.

The technical documentation shall, wherever applicable, contain at least the following elements:

(a) a general description of the product;

(b) a list of the harmonised standards and technical specifications the references of which have been published in the Official Journal of the European Union, applied in full or in part, and descriptions of the solutions adopted to meet the relevant accessibility requirements referred to in Article 4 herein where those harmonised standards or technical specifications have not been applied; in the event of partly applied harmonised standards or technical specifications, the technical documentation shall specify the parts which have been applied.

3. Manufacturing

The manufacturer shall take all measures necessary so that the manufacturing process and the monitoring thereof ensure compliance of the products with the technical documentation referred to in Item 2 and with the accessibility requirements under Article 4 herein.

4. CE marking and EU declaration of conformity

4.1. The manufacturer shall affix the CE marking to each individual product that satisfies the applicable requirements under Article 4 herein.

4.2. The manufacturer shall draw up a written EU declaration of conformity for a product model. The EU declaration of conformity shall identify the product for which it has been drawn up.

A copy of the EU declaration of conformity shall be made available to the relevant authorities upon request.

5. Authorised representative

The manufacturer's obligations set out in Item 4 may be fulfilled by its authorised representative, on its behalf and under its responsibility, provided that they are specified in the mandate.

Annex 4

to Article 8 (3)

EU DECLARATION OF CONFORMITY

1. No xxxxxx (unique identification of the product):
2. Name and address of the manufacturer or, where applicable, of the authorised representative thereof:
3. This declaration of conformity is issued under the sole responsibility of the manufacturer.
4. Object of the declaration (identification of product allowing traceability. It may include an image, where appropriate):
5. The object of the declaration described above is in conformity with Directive (EU) 2019/882 and the following European Union harmonisation acts:
6. References to the relevant harmonised standards used, to technical specifications adopted pursuant to Article 15(3) of Directive (EU) 2019/882, or to other specifications in relation to which conformity is declared:
7. Additional information:
Signed for and on behalf of:
(place and date of issue)
(name, function) (signature)

Annex 5

to Article 50 (2)

INFORMATION ON SERVICES MEETING ACCESSIBILITY REQUIREMENTS

1. The service provider shall include the information assessing how the service meets the accessibility requirements referred to in Article 46 in the general terms and conditions, or equivalent document. The information shall describe the applicable requirements and cover, as far as relevant for the assessment the design and the operation of the service. In addition to the consumer information requirements according to the Consumer Protection Act, the information shall, where applicable, contain the following elements:

(a) a general description of the service in accessible formats;

(b) descriptions and explanations necessary for the understanding of the operation of the service;

(c) a description of how the relevant accessibility requirements under Article 46 herein.

2. To comply with Item 1, the service provider may apply in full or in part the harmonised standards and technical specifications adopted pursuant to Article 15(3) of Directive (EU) 2019/882, for which references have been published in the Official Journal of the European Union.

3. The service provider shall provide information demonstrating that the service delivery process and its monitoring ensure compliance of the service with Item 1 and with the applicable requirements under Article 46 herein.