

## **Vocational Education and Training Act**

Promulgated SG No. 68/30.07.1999, amended SG No. 1/4.01.2000, SG No. 108/29.12.2000, SG No. 111/28.12.2001, amended and supplemented SG No. 103/5.11.2002, amended SG No. 120/29.12.2002, supplemented SG No. 29/31.03.2003, amended, SG No. 28/1.04.2005, effective 1.04.2005, amended and supplemented, SG No. 77/27.09.2005, effective 27.09.2005, amended, SG No. 94/25.11.2005, effective 25.11.2005, SG No. 30/11.04.2006, effective 12.07.2006

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\*Note: An update of the English text of this Act is being prepared following the amendments in SG No. 62/1.08.2006, (effective as of the date of entry into force of the Treaty of Accession of the Republic of Bulgaria to the European Union), SG No. 63/4.08.2006, (effective 4.08.2006)

### **Chapter One**

#### **GENERAL PROVISIONS**

##### **Purpose and Scope of the Act**

**Article 1.** (1) This Act shall regulate the social relations in connection with:

1. ensuring the right to vocational education and training of the citizens according to their personal interests and possibilities;
2. meeting the needs for qualified manpower which is competitive on the labour market;
3. providing conditions for functioning and development of the system of vocational education and training based on cooperation between its institutions and the bodies of the executive power and the local independent government and the social partners.

(2) The Act shall regulate the organisation, institutions, management and financing of the system of vocational education and training.

(3) (Supplemented, SG No. 103/2002) The primary and the secondary education received respectively in the vocational schools and in the vocational secondary schools shall be stipulated by the Public Education Act, the Level of Education, General Education Minimum and Curriculum Act and by the state educational requirements inasmuch as this Act does not provide otherwise.

##### **Purpose of the system of vocational education and training**

**Article 2.** The system of vocational education and training shall prepare the citizens for realisation in the economy and the other spheres of public life by creating conditions for acquiring professional qualification and for its continuous improvement.

##### **Tasks of the System of Vocational Education and Qualification**

**Article 3.** The basic tasks of the system of vocational education and training shall be:

1. acquisition of professional qualification;
2. (new, SG No. 103/2002, amended, SG No. 77/2005 ) acquisition of legitimate qualification for professions whose practising requires such qualification, including the practising of regulated professions;
3. (renumbered from item 2 - SG No. 103/2002) continuous improvement of the professional qualification;
4. (renumbered from item 3 - SG No. 103/2002) formation of a motivation system for realisation in the civil society;
5. (renumbered from item 4 - SG No. 103/2002) formation and general culture on the basis of the national and all human values.

##### **Structure of the System of Vocational Education and Training**

**Article 4.** The system of vocational education and training shall include vocational orientation, vocational training and vocational education.

Nature of the System of Vocational Education and Training

**Article 5.** (1) (Amended, SG No. 103/2002) Vocational orientation shall provide information, consulting and counselling to students and to other persons regarding the choice of profession and carrier development.

(2) (Amended, SG No. 103/2002) Vocational training shall ensure the acquisition of qualification for a profession or part of a profession, as well as its improvement. Under conditions determined by this Act, by the Public Education Act and the Level of Education, General Education Minimum and Curriculum Act, it shall also ensure the completion of primary education or of secondary education grades. Vocational training shall include:

1. initial vocational training - acquisition of initial qualification for a profession or part of a profession;
2. continuous vocational training - improvement of the acquired qualification for a profession or part of a profession.

(3) Vocational education shall ensure the acquisition of the general education minimum for secondary education and the acquisition of qualification for a profession.

## **Chapter Two**

# **GENERAL REQUIREMENTS FOR THE ORGANISATION IN THE SYSTEM OF VOCATIONAL EDUCATION AND TRAINING**

## **Section I**

### **Professions and Degrees of Professional Qualification**

List of Professions for Vocational Education and Training

**Article 6.** (1) Vocational orientation, vocational training and vocational training shall be carried out for professions and specialities included in the List of Professions for Vocational Education and Training.

(2) The list referred to in Paragraph 1 shall be approved by the Minister of Education and Science in coordination with the Minister of Labour and Social Policy, as well as with the respective branch ministers and with the representative organisations of employers and of employees on national level.

(3) (New, SG No. 77/2005) The structural elements of the list referred to in Para. 1 shall be professions and specialties.

List of Regulated Professions in the Republic of Bulgaria

**Article 7.** (Amended, SG No. 77/2005 ) (1) The list of regulated professions in the Republic of Bulgaria shall be adopted by the Council of Ministers, based on a proposal made by the Minister of Education and Science after coordination with the Minister of Labour and Social Policy, as well as with the respective branch ministers and with the representative organisations of employers and of employees on national level.

(2) The structural elements of the list referred to in Para. 1 shall be:

1. the names of the professions which are regulated according to Bulgarian legislation;
2. the statutory instrument which determines them as regulated professions;
3. the authorities which are competent to grant or acknowledge the legal capacity to practice the respective regulated profession.

(3) The Council of Ministers shall determine the terms and procedure for maintaining the list referred

Classification Characteristics of the List of Professions for  
Vocational Education and Training

**Article 8.** (1) Professions and specialities shall be classified in professional branches and by degree of education and professional qualification degree.

(2) The degrees of professional qualification acquired pursuant to this Act shall be first, second, third and fourth degree.

(3) The following shall be required for the respective degrees of professional qualification:

1. for first degree - acquired professional competence for practising professions which include routine activities carried out under permanent conditions;

2. for second degree - acquired professional competence for practising professions which include activities of complex nature carried out under changing conditions;

3. for third degree - acquired professional competence for practising professions which include activities of complex nature carried out under changing conditions, as well as assuming responsibility for the work of other persons;

4. (amended, SG No. 103/2002) for fourth degree - acquired professional competence for practising professions which include a wide range of activities of complex nature carried out under changing conditions, as well as assuming managerial responsibilities for the work of other persons and for the allocation of resources.

(4) The minimum entry educational level for acquiring the respective degrees of professional qualification shall be:

1. for first degree - completed 6th grade;

2. for second and third degree - completed 7th degree or primary education;

3. for fourth degree - completed secondary education.

(5) The graduating educational level for acquiring the respective professional qualification degrees shall be:

1. for first degree:

a) primary education - for students;

b) primary education or completed 6th or 7th grade - for persons aged 16 and over;

2. for second degree - completed 10th or 11th grade, acquired right to take state matriculation examinations for completion of secondary education or completed secondary education;

3. (supplemented, SG No. 103/2002) for third degree - secondary education or acquired right to take state matriculation examinations for completion of secondary education; determined by the state educational requirements for acquiring qualification on professions.

## **Section II**

### **Conditions and Procedure for Acquisition of Professional Qualification**

#### **Training for Acquisition of Professional Qualification**

**Article 9.** (1) The following shall have the right to conduct training for acquisition of professional qualification:

1. (supplemented, SG No. 103/2002) vocational schools, vocational secondary schools, vocational colleges, art schools and centres for vocational training;

2. (amended, SG No. 103/2002) junior secondary schools, primary schools, secondary general education schools, special and sports schools, secondary schools and profiled secondary schools in individual classes of them - on the basis of an order issued by the Minister of Education and Science, if they meet the conditions determined by the state educational requirements.

(2) Training for acquisition of professional qualification may be conducted by ministries, municipalities, organisations of the employers, organisations of employees and individual employers.

(3) Training for acquisition of professional qualification may also be conducted through individual work.

#### Framework Programmes for Acquisition of Professional Qualification

(Amended, SG No. 103/2002)

**Article 10.** (1) (Amended, SG No. 103/2002) The acquisition of professional qualification in the system of vocational education and training shall be regulated by framework programmes approved by the Minister of Education and Science.

(2) The programmes referred to in Paragraph 1 shall determine the age and the entry educational and qualification level of the candidates, as well as the contents and the duration of the vocational education and vocational training.

(3) The programmes referred to in Paragraph 1 shall be:

1. A Programmes for initial vocational training for acquiring first degree of professional qualification;

2. B Programmes for initial vocational training for acquiring second degree of professional qualification;

3. C Programmes for vocational education for acquiring second or third degree of professional qualification;

4. D programmes for vocational education for acquiring fourth degree of professional qualification;

5. E Programmes for initial vocational training for acquiring qualification on part of a profession;

6. F Programmes for continuous vocational training and updating or expanding the acquired professional qualification, as well as for acquiring first, second and third degree of professional qualification.

#### Programmes for Students

**Article 11.** Students may be trained under the following programmes:

1. A Programmes with duration of up to 3 years for students with completed 6th grade at the least;

2. B Programmes with duration of up to 4 years for students with completed primary education or with a completed secondary education grade;

3. (Amended, SG No. 103/2002) C Programmes with duration of 4 or 5 years for students with completed primary education or 6 years for students with completed 7th grade, and in the art schools - up to 4 years after primary education or a completed secondary education grade;

4. E Programmes with duration of up to 1 year for students with completed primary education or a completed secondary education grade.

#### Programmes for Persons Aged 16 and Over

**Article 12.** The programmes under which persons aged 16 and over may be trained shall be:

1. A Programmes with duration of up to 1 year for persons with completed 6th grade at the least;

2. B Programmes with duration of 1 year for persons with a completed secondary education grade or with completed secondary education;

3. (New, SG No. 103/2002) C Programmes, with a duration of respectively 4 or 5 years for persons with completed primary education;

4. (Renumbered from Item - SG No. 103/2002) D Programmes with duration of up to 2 years for persons with completed secondary education;

5. (Renumbered from Item 4 - SG No. 103/2002) E Programmes with duration determined by the specific vocational training documentation;

6. (Renumbered from Item 5 - SG No. 103/2002) F Programmes with duration determined by the specific vocational training documentation.

Vocational Education and Vocational Training Documentation  
(Amended, SG No. 103/2002)

**Article 13.** (1) (Supplemented, SG No. 103/2002) The programmes referred to in Article 10, Paragraph 3, items 1, 2, 3 and 4 shall be specified for each profession from the list referred to in Article 6, Paragraph 1 for the state educational requirements for acquisition of qualification on professions on the basis of which educational plans and educational programmes shall be developed.

(2) (Amended, SG No. 103/2002) The programmes referred to in Article 10, Paragraph 3, items 5 and 6 shall be specified by the vocational training documentation - educational plans and educational programmes.

(3) (Amended, SG No. 103/2002) The documentation referred to in Paragraph 2 shall be developed by the training institution or by the applicant for vocational training. For acquisition of a professional qualification degree the documentation shall be developed in compliance with the state educational requirements for acquisition of qualification on professions.

Requirements to Candidates

**Article 14.** (1) The requirements to the candidates for inclusion in the programmes for vocational education and vocational training shall refer to a minimum age, health condition, entry educational level and entry qualification level.

(2) The minimum age of the candidate in the year of application shall be 13 years for schools and 16 years when the training is carried out in another training institution.

(3) The health condition of candidates shall be certified by a medical certificate proving that the profession for which they want to be trained is not counter-indicative for them. The requirements shall be determined with an ordinance issued by the Minister of Health in coordination with the Minister of Education and Science.

(4) The entry educational level of the candidate shall be a completed grade of the primary or the secondary education necessary for acquisition of the respective professional qualification degree.

(5) The entry qualification level of the candidate shall be the acquired professional qualification degree required for inclusion in an F Programme.

Conditions and Procedure for Admission of Candidates

**Article 15.** (Amended, SG No. 103/2002) (1) (Amended, SG No. 28/2005, SG No. 94/2005) The conditions and procedure for admission of candidates to state and municipal schools carrying out vocational education and training shall be determined with an ordinance issued by the Minister of Education and Science, and to art schools - with an ordinance issued by the Minister of Education and Science and the Minister of Culture.

(2) The conditions and procedure for admission of candidates to institutions other than those referred to in Paragraph 1 shall be determined by the training institution in compliance with the requirements of this Act and the other statutory instruments regulating vocational education and training.

### **Section III**

## **Organisation of the Educational Process**

Organisation of the Educational Process in Vocational Education

**Article 16.** (1) The forms of education, the organisational forms and the education term for the C Programmes shall be in compliance with the Public Education Act and the Rules for Implementation of the Public Education Act.

(2) The organisation of the educational process for each profession of the list referred to in Article 6, Paragraph 1 shall be determined by the state educational requirements for acquisition of qualification on professions.

Organisation of the Educational Process in Vocational Training

**Article 17.** (1) The forms of education, the organisational forms and the education term for the A, B and E Programmes for students shall comply with the Public Education Act and the Regulations for implementation of the Public Education Act.

(2) The organisational form for the A, B, D, E and F Programmes for persons aged 16 and over shall be a qualification course. The forms of education, the education term and the number of the trainees in the course shall be determined by the educational institution. They can be coordinated with the applicant for the vocational training.

(3) The organisation of the educational process according to A, B and D Programmes shall be determined by the state educational requirements for acquisition of qualification on professions and for E and F Programmes- by the documentation referred to in Article 13, Paragraph 2.

### Chapter Three

## INSTITUTIONS IN THE SYSTEM OF VOCATIONAL EDUCATION AND TRAINING

Institutions

**Article 18.** The institutions in the system of vocational education and training shall be:

1. vocational schools;
2. vocational secondary schools;
3. (new, SG No. 103/2002) art schools;
4. (renumbered from item 3 - SG No. 103/2002) vocational colleges;
5. (renumbered from item 4 - SG No. 103/2002) centres for vocational training;
6. (renumbered from item 5 - SG No. 103/2002) centres for information and vocational orientation;
7. (repealed, SG No. 103/2002)
8. (renumbered from item 6 - SG No. 103/2002) centres for qualification of training specialists;

Vocational Schools, Vocational Secondary Schools and Vocational Colleges and Art Schools

(Title amended, SG No. 103/2002)

**Article 19.** (1) Vocational schools, vocational secondary schools and vocational colleges shall be state, municipal and private, Bulgarian with foreign participation and foreign and shall be opened, transformed and closed down following the procedure stipulated by the Public Education Act.

(2) (Supplemented, SG No. 103/2002) Vocational schools shall carry out initial vocational training leading to acquisition of first and second degree of professional qualification and qualification on part of a profession with a duration of four years. They shall admit students with a completed 6th grade at the least. Vocational schools may also carry out vocational education based on an order issued by the Minister of Education and Science, provided that they meet the conditions determined by the state educational requirements.

(3) (Amended, SG No. 103/2002) Vocational secondary schools shall carry out vocational education for acquiring second degree of professional qualification, with a duration

of four years, or third degree of professional qualification with a duration of five or six years. They shall admit students with completed primary education or 7th grade. Vocational secondary schools may also carry out vocational training for acquiring first, second and third degree of professional qualification and qualification on part of the profession. Vocational secondary schools may also carry out vocational education for acquiring fourth degree of professional qualification based on an order issued by the Minister of Education and Science, provided that they meet the requirements determined by the state educational requirements.

(4) (New, SG No. 103/2002) Vocational schools and vocational secondary schools may organise the training of persons aged 16 years or over according to the programmes referred to Article 12.

(5) (New, SG No. 103/2002) Art schools shall carry out vocational education for acquiring third degree of professional qualification with a duration of up to four years after primary education or a completed secondary education grade.

(6) (Renumbered from Paragraph 4 - supplemented, SG No. 103/2002) Vocational colleges shall carry out vocational training for acquiring fourth degree of professional qualification with a duration of up to two years depending on the acquired professional qualification degree. They shall admit persons with completed secondary education.

#### Centres for Vocational Training

**Article 20.** The centres for vocational training shall carry out vocational training of persons aged 16 and over.

#### Centres for Information and Vocational Orientation

**Article 21.** (Amended, SG No. 103/2002) The centres for information and vocational orientation shall carry out vocational orientation of students and other persons.

#### Status of the Centres for Vocational Training and the Centres for Information and Vocational Orientation

**Article 22.** (1) The centres for vocational training and the centres for informational and vocational orientation shall be state, municipal or private, Bulgarian with foreign participation and foreign.

(2) The state and municipal centres shall be legal persons with a licence for carrying out vocational training or vocational orientation.

(3) The private centres shall sole entrepreneurs or legal persons established as trade companies, co-operatives, associations and foundations with a licence for carrying out vocational training or vocational orientation.

(4) Bulgarian centres for vocational training and centres for information and vocational orientation with foreign participation shall be associations between Bulgarian and foreign legal and/or natural persons registered in the Republic of Bulgaria with a licence for vocational training or vocational orientation.

(5) Foreign centres for vocational training and centres for information and vocational orientation shall be foreign corporate bodies carrying out their activity in the Republic of Bulgaria in compliance with international agreements and which have obtained licence for vocational training or for vocational orientation.

(6) (Amended, SG No. 103/2002) The licence for vocational training or for vocational orientation shall be issued by the National Agency for Vocational Education and Training.

(7) (Repealed, SG No. 103/2002)

(8) (Repealed, SG No. 103/2002)

#### Centres for Qualification of Training Specialists

**Article 23.** (1) The Centres for qualification of training specialists shall be state or municipal servicing units from the public education system and shall be opened, transformed and closed down pursuant to the procedure stipulated by the Public Education Act.

(2) The Centres for qualification of training specialists shall carry out updating and broadening of the qualification of teachers and other persons carrying out vocational training.

## **Chapter Four**

# **STATE EDUCATIONAL REQUIREMENT FOR VOCATIONAL EDUCATION AND TRAINING**

## **Section I**

### **General Provisions**

Content of the State Educational Requirement for Vocational Education and Training

**Article 24.** (Amended, SG No. 103/2002) The state educational requirement for vocational education and training referred to in Article 16, item 6 of the Public Education Act shall determine the organisation of the admission of candidates and of the vocational education and training, the structure and content of the framework programmes for vocational education and training and the organisation of the practical training for the school vocational education and training.

Admission to Vocational Schools, Vocational Secondary Schools, Vocational Colleges and in Art Schools

**Article 25.** (Amended, SG No. 103/2002) (1) Vocational education and vocational training according to a state plan for admission shall be organised by the state and municipal schools.

(2) The state plan for admission shall be approved for schools and professions for each academic year.

(3) The state and municipal schools, with the exception of art schools, in compliance with the strategies, forecasts, programmes and plans for development of the respective municipality shall submit proposals for state plan for admission for professions to the regional inspectorates for education.

(4) The regional inspectorates for education shall coordinate the proposals referred to in Paragraph 3 with the respective financing bodies, with the commission for employment at the regional council for regional development and with the regional structures of employers.

(5) The state plan for admission to state and municipal schools shall be approved by the Minister of Education and Science based on a proposal of the regional inspectorates for education in coordination with the Minister of Labour and Social Policy and the Minister of Regional Development and Public Works.

(6) (Amended, SG No. 28/2005, SG No. 94/2005) The state plan for admission to art schools shall be approved by the Minister of Culture. The conditions and the procedure for approval of the state plan for admission shall be determined with an ordinance issued by the Minister of Culture and the Minister of Education and Science.

(7) Private vocational schools, Bulgarian schools with foreign participation and foreign vocational schools shall determine independently their plan for admission.

Organisation of the Vocational Training of Persons Aged 16 and Over

(Title amended, SG No. 103/2002)

**Article 26.** (1) (Amended, SG No. 103/2002) State and municipal schools may carry out vocational training for persons aged 16 or over financed by natural or legal persons.

(2) The organisation, the fulfilment, the material and financial provision of vocational training shall be settled by a contract between the director of the school and the person financing the training.

## **Section II**



## Vocational Education and Vocational Training Content

Structure and Content of the Framework Programmes for Vocational Education

(Title mended, SG No. 103/2002)

**Article 27.** (1) The structure of the programmes for vocational education shall include general education training, obligatory vocational training - general, branch and specific for each profession, obligatory foreign language studies related to the profession and optional studies - mandatorily elective and optional.

(2) General education studies shall provide the general education minimum necessary for secondary education.

(3) The general obligatory vocational training shall be unified for all professional branches, taking into account their specifics. It shall include theoretical training and practical training - educational practice.

(4) The branch obligatory vocational training shall be unified for all professions of the professional branch taking into account the specifics of each profession. It includes theoretical education and practical education - educational practice.

(5) (Supplemented, SG No. 103/2002) The specific vocational training obligatory for each profession shall include theoretical training and practical training - educational and practical training.

(6) General education training shall be determined pursuant to the Level of Education, General Education Minimum and Curriculum Act.

(7) (Amended, SG No. 103/2002) The obligatory vocational training, the obligatory foreign language studies related to the profession and the optional training shall be determined according to the state educational requirements for acquiring qualification on professions.

(8) (Repealed, SG No. 103/2002)

(9) (Amended, SG No. 103/2002) At least 40 percent of the number of the educational hours for obligatory vocational training shall be for practical training.

Structure and Content of the Framework Programmes for Vocational Training

(Title amended, SG No. 103/2002)

**Article 28.** (1) The structure of the programmes for vocational training shall include:

1. general education studies, obligatory vocational studies and optional studies under the programmes for acquiring professional qualification with completion of primary education or a grade of the secondary education;

2. obligatory and optional vocational studies under the programmes for acquiring professional qualification.

(2) Obligatory vocational training shall include theoretical training and practical training.

(3) (Amended, SG No. 103/2002) The number of education hours for practical training for the obligatory vocational studies shall not be less than the number of education hours for theoretical training.

(4) General education training studies shall be determined pursuant to the Level of Education, General Education Minimum and Curriculum Act.

(5) The obligatory vocational studies and the optional studies shall be determined according to the state educational requirements for acquiring qualification on professions.

### Section III

#### Practical Training

#### Types of Practical Training

**Article 29.** Practical training shall be organised as educational practice and practical activity.

#### Places for Carrying out Practical Training

**Article 30.** (1) Practical training shall be carried out in:

1. educational and production facilities of the schools;
2. educational and production facilities of similar schools or centres for vocational training in the Republic of Bulgaria and abroad;
3. enterprises of natural and legal persons;
4. educational and production facilities with the enterprises.

(2) The educational and production facilities shall be equipped according to the state educational requirements for acquiring qualification on professions.

(3) Conditions in compliance with the state educational requirement for safe conditions of tuition, education and work shall be provided in the places for carrying out practical training.

#### Organisation of Practical Training

**Article 31.** (1) Practical training shall be carried out as educational training, educational practical and practical educational activities.

(2) Schools shall conclude contracts for carrying out practical training in the locations referred to in Article 30, Paragraph 1, items 2, 3 and 4.

(3) Schools may organise independently and/or in co-operation with natural or legal persons production of products and services meeting the state educational requirements for acquiring qualification on professions or the vocational training documentation of the school or of the applicant for vocational training.

(4) (New, SG No. 103/2002) The organisation and financing of practical education shall be carried out under conditions and following a procedure determined with an ordinance of the Minister of Education and Science in coordination with the Minister of Finance.

### **Section IV**

#### **Vocational Education and Vocational Training for Students with Special Educational Needs and/or Chronic Diseases, for Students from Raising and Educating Children Deprived of Parental Care and for Persons Deviant Behaviour**

(Title amended, SG No. 103/2002)

Programmes for Vocational Education and Vocational Training of Students with Special Educational Needs

(Amended, SG No. 103/2002)

**Article 32.** (1) Vocational education and vocational training shall be organised for persons with special educational needs corresponding to their respective handicap.

(2) Vocational education or vocational training shall be organised for students with sensor handicaps on professions or parts of professions, the training and practising of which are suitable for their health status.

(3) Vocational training on part of a profession or on a profession for acquiring first degree of professional qualification shall be organised for mentally handicapped students.

Vocational Education and Vocational Training of Students with Chronic Diseases

(New, SG No. 103/2002)

**Article 32a.** Vocational education or vocational training shall be organised for students with chronic diseases and physical handicaps on professions or parts of a profession, whose training and exercising are suitable for their health status.

Vocational Education and Vocational Training of Students from the Homes for Raising and Educating Children Deprived of Parental Care  
(New, SG No. 103/2002)

**Article 32b.** Vocational education and vocational training shall be organised for students from homes for raising and educating children deprived of parental care.

Vocational Education and Vocational Training of Students with Deviant Behaviour  
(New, SG No. 103/2002)

**Article 32c.** Vocational education or vocational training on a profession or part of a profession shall be organised for students with deviant behaviour.

Vocational Education and Vocational Training of Prisoners  
(New, SG No. 103/2002)

**Article 32d.** Vocational education or vocational training on a profession or part of a profession shall be organised for prisoners.

Organisation of Vocational Education and Vocational Training  
(New, SG No. 103/2002)

**Article 32e.** (1) The professions referred to in Articles 32 and 32a shall be determined by the Ministry of Education and Science and by the Ministry of Health, those referred to in Article 32b and 32c - by the Ministry of Education and Science and those referred to in Article 32d - by the Ministry of Education and Science and the Ministry of Justice.

(2) Admitted in the vocational schools and in the vocational secondary schools shall be in a class up to 5 students with sensor lesions, with chronic diseases and/or physical lesions, as well as students from the homes for raising and educating children deprived of parental care.

## **Chapter Five**

# **GRADUATION, CERTIFICATION AND ACKNOWLEDGEMENT OF VOCATIONAL EDUCATION AND VOCATIONAL TRAINING**

(Title amended, SG No. 77/2005)

Graduation of vocational education and vocational training

**Article 33.** (1) Vocational education shall be concluded by:

1. state matriculation examinations for graduating secondary education according to the Level of Education, General Education Minimum and Curriculum Act;

2. (amended, SG No. 103/2002) state examinations for acquiring professional qualification - theory of the profession and practice of the profession.

(2) (Amended and supplemented, SG No. 103/2002) Vocational training in A, B, C and D Programmes shall be concluded by state examinations for acquiring professional qualification - theory of the profession and practice of the profession.

(3) (Amended, SG No. 103/2002) Vocational training in E and F Programmes shall be concluded by examinations for acquiring professional qualification. When acquiring a professional qualification degree under E Programmes, the examinations shall be state examinations - on theory of the profession and on practice of the profession.

Organisation and Content of the Examinations for Acquiring Professional Qualification

**Article 34.** (1) For completion of A, B, C and D Programmes the organisation of the examinations shall be determined according to the state educational requirement for the system of assessment and their content - according to the state educational requirements for acquiring qualification on professions.

(2) For completion of E and F Programmes the organisation and the content of the examinations shall be determined by the educating institution in coordination with the representatives of the employers and of the employees and when acquiring a professional qualification degree - also according to the state educational requirements for acquiring qualification on professions.

#### Commissions for Holding the Examinations for Acquiring Professional Qualification

**Article 35.** (1) (Supplemented, SG No. 103/2002) The commissions for holding the examinations shall include representatives of the educating institution, of the employers and of the employees, and for art schools - also of representatives of the respective higher art schools, with equal quotas.

(2) The representatives of the educating institution shall be teachers or other persons carrying out vocational training.

(3) The representatives of the employers shall have qualification in the respective professional sphere and those of the employees - qualification and time of service not less than four years in the respective profession.

(4) The commissions for holding the examination shall be appointed by the head of the educating institution.

(5) (Supplemented, SG No. 103/2002) If the organisations of employers or of employees, as well as the higher art schools, do not propose their representatives for inclusion in the examination commissions, the head of the educating institution shall complete the commission by members appointed by him.

#### State Examinations for Acquiring Professional Qualification in Vocational Education

(Amended, SG No. 103/2002)

**Article 36.** (1) The state examinations on theory of the profession and on practice of the profession shall be carried out according to national examination programmes in compliance with the state educational requirements for acquiring qualification on professions.

(2) (Amended, SG No. 28/2005, SG No. 94/2005) The national examination programmes shall be approved by the Minister of Education and Science, and for art schools - by the Minister of Culture.

#### Examinations for Acquiring Professional Qualification in Vocational Training

**Article 37.** (1) The examinations for acquiring professional qualification degree shall be carried out pursuant to Article 36.

(2) The examinations for acquiring qualification on part of a profession, as well as for updating or widening the professional qualification, shall be carried out based on tasks determined by the educating institution upon coordination with the representatives of the employers and the employees.

#### Certification of Vocational Education and Vocational Training

**Article 38.** (1) The completion of vocational education shall be certified by:

1. diploma for completed secondary education;
2. certificate for professional qualification;

3. (supplemented, SG No. 77/2005 ) certificate for legal capacity issued for professions whose exercising requires legal capacity, including the exercising of regulated professions.

(2) Completed vocational training for acquiring professional qualification degree shall be certified by:

1. certificate for primary education or document for a completed grade of the primary or secondary education;

2. certificate for professional qualification;

3. (supplemented, SG No. 77/2005 ) certificate for legal capacity issued for professions whose exercising requires legal capacity, including the exercising of regulated professions.

(3) A certificate for vocational training shall be issued for completed vocational training for acquiring qualification on part of a profession, for updating or widening the professional qualification.

(4) The content of the documents referred to in Paragraphs 1 and 2 shall be determined according to the state educational requirements for the documents in the public education system and for acquiring qualification on professions and those referred to in Paragraph 3 - with the state educational requirement for the documents in the public education system and the specific documentation referred to in Article 13, Paragraph 2.

(5) (Amended, SG No. 77/2005 ) The conditions and the procedure for issuing a certificate for legal capacity shall be determined by ordinances of the Minister of Education and Science unless otherwise provided by a law.

(6) (New, SG No. 77/ 2005) The terms and procedure for acknowledgement of the legal capacity to practice a regulated profession acquired in a European Union member state and in members of the European economic space shall be regulated by the provisions of Para. 5, unless otherwise provided by law.

Right of Issuing Documents for Professional Qualification

**Article 39.** (Supplemented, SG No. 103/2002) Vocational schools, vocational secondary schools, art schools, vocational colleges and centres for vocational training shall have the right to issue documents for professional qualification referred to in Article 38. The schools referred to in Article 9, Paragraph 1, item 2 shall also have the right to issue documents for professional qualification.

Certificate for Professional Qualification of Persons Trained  
Outside the System of Vocational Education and Training

**Article 40.** (1) Persons trained pursuant to Article 9, Paragraphs 2 and 3 may obtain the documents referred to in Article 38, Paragraph 2, item 2 and Paragraph 3 if they have at least six months of experience in the profession or have passed practical training with a duration determined by the educating institution.

(2) Completed education or a completed grade necessary shall also be required for acquiring the respective professional qualification degree for obtaining a document referred to in Article 38, Paragraph 2, item 2.

(3) The persons referred to in Paragraph 1 shall conclude with the educating institution a contract for taking the examinations referred to in Article 37 and, if necessary - for carrying out practical training.

## **Chapter Six**

# **MANAGEMENT OF THE SYSTEM OF VOCATIONAL EDUCATION AND TRAINING**

## **Section I**

### **National Agency for Vocational Education and Training**

Status of the National Agency for Vocational Education and Training

**Article 41.** (1) The National Agency for Vocational Education and Training shall be established at the Council of Ministers as a legal person funded through the budget support and headquartered in Sofia.

(2) (Amended, SG No. 103/2002) The National Agency for Vocational Education and Training shall be a state body for licensing activities in the system of vocational education and training, as well as for coordination between the institutions related to vocational orientation, education and training.

(3) The National Agency for Vocational Education and Training shall carry out its activities in compliance with this Act and with rules approved by the Council of Ministers.

Functions of the National Agency for Vocational Education and Training

(Amended, SG No. 103/2002)

**Article 42.** The National Agency for Vocational Education and Training shall:

1. develop and approve criteria for licensing and the related documentation;
2. issue and withdraw licences for vocational training and vocational orientation;
3. develop and propose to the Minister of Education and Science:
  - a) the List of professions for vocational education and training;
  - b) the state educational requirements for acquiring qualification on professions;
4. participate in developing the state educational requirements for the documents for the public education system and for the system of assessment in their part for vocational education and training;
5. (supplemented, SG No. 77/2005 ) on the basis of the documents referred to in Article 38, Paragraph 5, develop and approve unified requirements for the conditions, organisation and contents of vocational training for professions whose practising requires legal capacity and for regulated professions which is carried out by the centres for vocational training;
6. submit opinions and motivated proposals to the Minister of Education and Science for changes in the register referred to in § 1, Paragraph 2 of the supplementary provisions of the Public Education Act regarding the institutions in the system of vocational education and training;
7. assign the carrying out and the implementation of scientific research in the sphere of vocational education, training and orientation;
8. coordinate the activities on the drawing up of strategies for development and improvement of vocational education and training;
9. contribute to the international acknowledgement of the documents for vocational education and vocational training;
10. create and maintain a register of the centres for vocational training and of the centres for information and vocational orientation.
11. approve the programmes for training outside the state educational requirements referred to in Article 16, items 3 and 7 of the Public Education Act, as well as the programmes for educational services carried out by natural or legal persons to children, students and persons aged 16 and over.

Managing Bodies and Executive Bodies

**Article 43.** (1) The managing bodies of the National Agency for Vocational Education and Training shall be the Managing Board and its chairperson.

(2) The Managing Board shall establish expert commissions for fulfilment of its functions.

Managing Board Composition

**Article 44.** (1) The Managing Board shall consist of a chairperson and 24 members, of which:

1. eight representatives of ministries;

2. eight representatives of the organisations of the employers;
3. eight representatives of the organisations of employees on a national level;

(2) The representatives referred to in Paragraph 1 shall be determined pursuant to a procedure stipulated by the Rules of operation of the National Agency for Vocational Education and Training.

(3) The Prime Minister shall appoint the chairperson of the Managing Board based on a proposal of the Minister of Education and Science.

(4) The chairperson of the Managing Board shall have higher education and at least five years of service in the system of vocational education and training.

#### Mandate of the Managing Board

**Article 45.** (1) The mandate of the chairperson and of the members of the Managing Board shall be four years. One person may not be member of the Managing Board for more than two consecutive mandates.

(2) Half of the members of the Managing Board shall be renewed by quotas every two years.

(3) A member of the Managing Board shall be released before the expiration of the mandate:

1. upon written proposal by the institutions referred to in Article 44, Paragraph 1;
2. for systematic non-fulfilment of his/her duties;
3. for factual impossibility to fulfil his/her duties for a period longer than 6 months;
4. upon his/her written request.

(4) The decision for release under Paragraph 3, item 2 and 3 shall be taken by a common majority of the members of the board.

(5) The completion of the Managing Board by a new member shall be carried out following the procedure stipulated by the Rules of operation of the National Agency for Vocational Education and Training.

(6) The mandate of new members appointed pursuant to Paragraph 5 shall last until the end of the mandate of the released member.

#### Organisation of the Activities of the Managing Board

**Article 46.** (1) The Managing Board shall hold its meetings at least once in three months. Its meetings shall be considered regular if at least two thirds of its members are present.

(2) The Managing Board shall make decisions by open voting and common majority of the members of the board.

#### Functions of the Managing Board

**Article 47.** The Managing Board shall:

1. (Repealed, SG No. 103/2002)
2. make decisions to open procedures for licensing;
3. establish expert commissions on professional branches and an expert commission on vocational orientation and determine their tasks and members;
4. (amended, SG No. 103/2002) on the basis of the reports of the expert commissions, make decisions for licensing;
5. (amended, SG No. 103/2002) inform the Ministry of Education and Science about the licensed centres for vocational training and centres for information and vocational orientation;
6. make proposals to the Ministry of Education and Science for development and improvement of the system of vocational education and training, as well as for changes in the register referred to in § 1, Paragraph 2 of the supplementary provisions of the Public Education Act;

7. develop rules of operation of the National Agency for Vocational Education and Training.

Chairperson of the Managing Board

**Article 48.** (1) The chairperson of the Managing Board shall also be chairperson of the National Agency for Vocational Education and Training.

(2) The chairperson of the Managing Board shall:

1. represent the National Agency for Vocational Education and Training;
2. manage the activities of the National Agency for Vocational Education and Training;
3. convene and chair the meetings of the Managing Board;
4. conclude, change and terminate the legal terms of employment with the employees of the National Agency for Vocational Education and Training.

Expert Commissions

**Article 49.** (1) The expert commission shall be established for professional branches according to the List of Professions for Vocational Education and Training, as well as for vocational orientation.

(2) Expert commissions shall consist of 9 members, of which:

1. one representative of the Ministry of Education and Science, the Ministry of Labour and Social Policy and of the respective branch ministry;
2. three representatives of organisations of employers from the respective branch;
3. three of the branch trade union organisations of the employees in the respective branch.

(3) Expert commissions shall:

1. (amended, SG No. 103/2002) prepare reports with proposals to the Managing Board for licensing of centres for vocational education and of centres for information and vocational orientation;
2. participate in developing and updating the state educational requirements for acquiring qualification on professions from the respective professional branch, as well as of the state educational requirements for the documents in the public education system and in the system of assessment in their part for the vocational education and training;
3. participate in developing and updating of the List of Professions for Vocational Education and Training;
4. submit to the Managing Board an opinion for changes in the register referred to in § 1, Paragraph 2 of the supplementary provisions of the Public Education Act;
5. (Repealed, SG No. 103/2002)

(4) The procedure for appointing the representatives referred to in Paragraph 2 and the organisation of the activities of the expert commissions shall be settled by the Rules of operation of the National Agency for Vocational Education and Training.

Licensing

**Article 49a.** (New, SG No. 103/2002) (1) The licence shall give the right to carry out and certify vocational education for acquiring professional qualification degree or for vocational orientation.

(2) The licence shall be issued upon filing an application to the persons referred to in Article 22, Paragraphs 2, 3, 4 and 5. Attached to the application shall be the documents determined by the Rules of operation of the National Agency for Vocational Education and Training.

(3) The Managing Board shall consider the filed documents under the conditions and by the order stipulated by this Act and by the Rules of operation of the National Agency for Vocational Education and Training.



(4) Within 4 months from filing the application the Chairperson of the National Agency for Vocational Education and Training shall issue or refuse to issue the licence by a motivated decision.

(5) If, by the expiration of the 4-month period the Chairperson of the National Agency for Vocational Education and Training does not announce a decision it shall be considered a refusal.

(6) The Chairperson of the National Agency for Vocational Education and Training shall refuse to issue licence in the cases when:

1. all documents under Paragraph 2 have not been presented;
2. the documents under Paragraph 2 do not meet the requirements of this Act and of the Rules of operation of the National Agency for Vocational Education and Training.

(7) In the cases referred to in Paragraph 6 the Chairperson of the National Agency for Vocational Education and Training shall set a deadline for removal of the non-compliance which cannot be less than two months.

(8) If the applicant does not remove the non-compliance by the deadline referred to in Paragraph 7, the Chairperson of the National Agency for Vocational Education and Training shall refuse to issue a licence by a motivated decision.

(9) In cases of refusal the applicant may file a new application for issuance of licence not earlier than 6 months from enactment of the refusal.

(10) The Chairperson of the National Agency for Vocational Education and Training may revoke the issued licence for vocational training or vocational orientation, if the centre:

1. has not begun the permitted activity within 12 months from issuance of the licence;
2. terminates the permitted activity for a period longer than 12 months;
3. does not comply with the provisions of this Act;
4. carries out vocational training or vocational orientation in violation of the obtained licence.

(11) (Amended, SG No. 30/2006) The order of the Chairperson of the National Agency for Vocational Education and Training referred to in Paragraph 10 and the refusal to issue licence under Paragraph 6 may be appealed pursuant to the Administrative Procedure Code.

Information Activity of the National Agency for Vocational Education and Training

**Article 50.** The National Agency for Vocational Education and Training shall publish a bulletin which shall contain:

1. (Repealed, SG No. 103/2002)
2. (amended, SG No. 103/2002) criteria, procedures and documentation for licensing of centres for vocational training and of centres for information and vocational orientation;
3. List of Professions for Vocational Education and Training;
4. (amended, SG No. 103/2002) the institutions licensed by the National Agency for Vocational Education and Training;
5. (Repealed, SG No. 103/2002)
6. (Repealed, SG No. 103/2002)

## **Section II**

### **Functions of the Ministries, Municipalities and of the Social Partners Regarding Vocational Education and Training**

Functions of the Ministry of Education and Science

**Article 51.** (1) The Ministry of Education and Science shall implement the state policy in the sphere of the vocational education and training by:

1. adopting the state educational requirements for acquiring qualification for professions;
2. approving the List of Professions for Vocational Education and Training;
- 2a. (new, SG No. 77/2005) proposing for approval to the Council of Ministers the List of Regulated Professions in the Republic of Bulgaria;
3. maintaining the register referred to in § 1, Paragraph 2 of the supplementary provisions of the Public Education Act regarding the institutions in the system of vocational education and training;
4. approving the state admission plan for state and municipal schools;
5. providing conditions for the fulfilment of the state educational requirements for the system of the professional education and training;
6. approving programmes for qualification in the system of vocational education and training;
7. organising the vocational orientation;
8. (amended, SG No. 103/2002) determining independently or jointly with the respective competent ministry the professions for students with special educational needs and/or with chronic diseases and persons with deviant behaviour;
9. allocating the financial resources approved by its budget for vocational education and training and control their utilisation;
10. analysing the results and the efficiency of vocational education and training;
11. appointing its representatives in the Managing Board and in the expert commissions of the National Agency for Vocational Education and Training;
12. (new, SG No. 77/2005) acting as national coordinator of activities related to acknowledgement of professional qualification and legal capacity.

(2) The inspectorates for education of the Ministry of Education and Science shall implement the state policy in the sphere of the vocational education and training in the respective region by:

1. coordinating the interaction between the schools, the centres for vocational training and the centres for information and vocational orientation and the regional employment offices and the employment bureaux, with the hygiene and epidemiological inspectorates, with the bodies of the local independent government and with the regional structures of the social partners;
2. coordinating the proposals of the schools for the state admission plan;
3. participating in the organisation of the examinations for acquiring professional qualification.

Functions of the Ministry of Labour and Social Policy

**Article 52.** The Ministry of Labour and Social Policy shall participate in implementing the state policy in the sphere of vocational education and training by:

1. determining the needs of vocational education and training by analysing the tendencies in the development of the labour market;
2. participating in the development, coordination and updating of the state educational requirements for acquiring qualification on professions;
3. participating in the coordination of the List of Professions for Vocational Education and Training;
4. determining the requirements for healthy and safe conditions in the practical training and controlling their fulfilment through the regional labour inspectorates;
5. participating in the coordination of the state admission plan in the schools through the regional employment offices;
6. participating in the organising of vocational orientation;

7. appointing its representatives in the Managing Board and in the expert commissions of the National Agency for Vocational Education and Training.

#### Functions of the Ministry of Health

**Article 53.** The Ministry of Health shall:

1. participate in the coordination of the List of Professions for Vocational Education and Training;

2. determine the chronic diseases and physical handicaps which are counter indicative for vocational education and vocational training on professions of the List of Professions for Vocational Education and Training;

3. (amended, SG No. 103/2002) determine, jointly with the Ministry of Education and Science, the professions for which the vocational education and vocational training is suitable for the health status of the trainees with chronic diseases and physical injuries, with sensor injuries and mental backwardness;

4. determine requirements for the health conditions in the practical training and the hygiene and physiological requirements for the weekly programmes, as well as control their fulfilment through the bodies of the State Sanitary Control;

5. (supplemented, SG No. 103/2002) appoint its representatives in the Managing Board and in the expert commission for vocational orientation of the National Agency for Vocational Education and Training;

#### Functions of the Branch Ministries

**Article 54.** The branch ministries shall:

1. participate in the development, coordination and updating of the state educational requirements for acquiring qualification on professions;

2. participate in the development, coordination and updating the List of Professions for Vocational Education and Training;

3. propose changes in the register referred to in § 1, Paragraph 2 of the supplementary provisions of the Public Education Act regarding the institutions in the system of vocational education and training;

4. (supplemented, SG No. 103/2002) participate in the coordination of the state admission plan for the schools they finance;

5. allocate the financial resources for vocational education and vocational training approved by their budget and control their spending;

6. (amended, SG No. 103/2002) appoint their representatives in the Managing Board and in the expert commissions in the professional divisions of the National Agency for Vocational Education and Training.

#### Functions of the Municipalities

**Article 55.** Municipalities shall participate in forming the policy in the sphere of the vocational education and training on their territories regarding:

1. the need for specialists;

2. the vocational orientation of students, unemployed persons, as well as of other persons;

3. the changes in the register referred to in § 1, Paragraph 2 of the supplementary provisions of the Public Education Act regarding the institutions in the system of vocational education and training;

4. the allocation of the financial resources approved by their budget for vocational education, training and orientation and control their spending;

5. the development of the material and technical facilities of the schools, of the centres for vocational training and the centres for information and vocational orientation by financial resources from the municipal budgets;

6. the determining of the state admission plan for the schools.

#### Functions of the Organisations of Employers

**Article 56.** The organisations of employers shall:

1. participate in the development, updating and coordination of the List of Professions for Vocational Education and Training;
2. propose changes in the register referred to in § 1, Paragraph 2 of the supplementary provisions of the Public Education Act regarding the institutions in the system of vocational education and training;
3. participate in the development, coordination and updating of the state educational requirements for acquiring qualification on professions;
4. participate in the organisation and holding of examinations for acquiring professional qualification and propose representatives for participation in the examination commissions;
5. appoint their representatives in the management board and in the expert commissions of the National Agency for Vocational Education and Training;

#### Functions of the Organisations of Employees on the National Level

**Article 57.** The organisations of employees on the national level shall:

1. participate in the updating of the state educational requirements for acquiring qualification on professions;
2. participate in the development, updating and coordination of the List of Professions for Vocational Education and Training;
3. appoint their representatives to the Managing Board and in the Expert Commission for vocational orientation of the National Agency for Vocational Education and Training.

#### Functions of the Branch Trade Unions

**Article 58.** Branch trade union organisations shall:

1. defend the interests of trainees before the employers on issues of employment and insurance relations in carrying out the practical training in the enterprises;
2. participate in organising and holding the examinations for acquiring professional qualification and propose representatives for participation in the examination commissions;
3. appoint their representatives to the expert commissions in professional branches of the National Agency for Vocational Education and Training.

### **Chapter Seven**

## **FINANCING VOCATIONAL EDUCATION, TRAINING AND ORIENTATION**

#### Sources of Financing

**Article 59.** (1) State and municipal schools, centres for vocational education, centres for information and vocational orientation and centres for qualification of the training specialists shall be financed by:

1. the state budget;
2. the budgets of the municipalities;
3. sponsorship, donations, wills;
4. own revenue;
5. national and international programmes.
6. (New, SG No. 103/2002) other sources.

(2) The subsidy from the state budget and from the budgets of the municipalities shall provide financial resources for:

1. support of the vocational education in state and municipal schools;

2. administrative and financial servicing of the state and municipal centres for vocational training and centres for information and vocational orientation, as well as of the centres for qualification of training specialists;

3. support of vocational orientation in the state and municipal centres for information and vocational orientation;

4. the support of the qualification of persons carrying out vocational training in the centres for qualification of training specialists.

(3) (Repealed, SG No. 103/2002)

(4) State and municipal institutions in the system of vocational education and training shall draw up budgets.

(5) Own revenue shall be used for support and development of the material and technical facilities. The subsidies from the state budget and from the budgets of the municipalities shall not be reduced for the account of the own revenue.

(6) Vocational colleges and centres for vocational training shall collect education fees from individuals and corporate bodies.

(7) State and municipal centres for information and vocational orientation shall also be financed by additional activities determined by their regulations.

Financing of the National Agency for Vocational  
Education and Training

**Article 60.** (1) (Amended, SG No. 103/2002) The National Agency for Vocational Education and Training shall be financed by resources from the state budget, from own revenue, sponsorship, donations, wills, etc.

(2) The National Agency for Vocational Education and Training shall collect fees for the issuance of licences for vocational training and for vocational orientation according to a tariff approved by the Council of Ministers.

(3) (Repealed, SG No. 103/2002)

Financing of Vocational Education outside the State Educational  
Requirements

**Article 61.** The financing of vocational education outside the state educational requirements, as well as of the practical training referred to in Article 40, Paragraph 1, organised in state and municipal schools and centres for vocational training, shall be carried out with financial resources paid by natural and legal persons pursuant to concluded contracts.

Practical Training Abroad

**Article 62.** Practical training held abroad organised by the state and municipal schools and centres for vocational training shall be financed by the school or centre on the basis of a contract concluded with foreign institutions for vocational education and training.

## **Chapter Eight**

### **ACKNOWLEDGEMENT OF THE LEGAL CAPACITY TO EXERCISE A REGULATED**

#### **PROFESSION ACQUIRED IN A MEMBER STATE OF THE EUROPEAN UNION**

#### **AND THE EUROPEAN ECONOMIC SPACE**

(New, SG No. 77/2005, effective as of the date of coming into force of the Treaty for the Republic of Bulgaria's accession to the European Union)

Certification of the Right to Exercise a Regulated Profession

**Article 63.** (1) The right to exercise a regulated profession shall be certified with one of the following documents:

1. diploma for completed professional education;
2. document certifying professional qualification;
3. document certifying the acquired legal right to exercise a regulated profession.

(2) The authorities competent to acknowledge legal capacity to practice the respective regulated profession may require from the person applying for acknowledgement to provide, in addition to the documents referred to in Para. 1, evidence of the contents and duration of the completed education and training.

#### Powers of the Acknowledging Authorities

**Article 64.** The acknowledging authority may not refuse access to or right to exercise the respective regulated profession under the conditions valid for Bulgarian citizens to a Bulgarian citizen or citizen of a member state of the European Union and the European economic space who has acquired the respective qualification in these states on the grounds of lack of sufficient qualification, where the person applying for acknowledgement:

1. holds a diploma or another document required in any of these states for access to or exercise of the same profession on its territory which have been obtained in these states, or
2. during the last 10 years has exercised this profession full-time for at least two years or for a period equivalent to two full-time years in a member state of the European Union and the European economic space in which this profession is not regulated and holds a document for professional qualification issued by the respective competent authority.

#### Professional Experience

**Article 65.** (1) The acknowledging authority may require from the person applying for acknowledgement to prove that it has the required professional experience, where the duration of training in the cases referred to in Article 64, Items 1 and 2 is one year less than the required training duration for the regulated profession.

(2) The duration of the required professional experience referred to in Para. 1 may not exceed:

1. twice the duration of the lacking period of education and training, where this period refers to the training cycle following secondary education and/or to professional experience controlled by training supervisor and ending with an examination;
2. the period of lacking professional experience, where this experience refers to professional practice aided by a qualified specialist.

(3) The required professional experience referred to in Paras. 1 and 2 may not exceed 4 years.

#### Adjustment Training and Examination for Acknowledgement of Legal Capacity

**Article 66.** (1) The acknowledging authority may require from the person applying for acknowledgement to undergo adjustment training or to take an examination for acknowledgement of legal capacity.

(2) The acknowledging authority shall enable the person applying for acknowledgement to choose between adjustment training and examination for acknowledgement of legal capacity. For professions whose exercise requires precise knowledge of national legislation and whose significant and constant element is advice and/or assistance on national legislation, the acknowledging authority shall decide on a case-by-case basis whether to require adjustment training or examination for acknowledgement of legal capacity.

(3) The adjustment training and the examination for acknowledgement of legal capacity shall be required where the educational background of the person applying for

acknowledgement covers theoretical and/or practical areas which are significantly different from those certified with the document for qualification.

(4) The acknowledging authority shall decide whether the knowledge and skills acquired by the person applying for acknowledgement during his professional experience compensate partially or fully for the differences referred to in Para. 3.

(5) Adjustment training shall be subject to assessment and may not last more than two years, where the receiving member states requires possession of a document of professional qualification or more than three years where the person does not hold a diploma for completed professional education.

(6) The terms and conditions for conducting the adjustment training and for its assessment, as well as the examination for legal capacity, shall be determined with an act issued by the acknowledging authority.

#### Specific Requirements for Acknowledgement of the Right to Exercise a Regulated Profession

**Article 67.** (1) Where there are specific statutorily determined requirements for the exercise of a regulated profession, the acknowledging authority shall require from the person applying for acknowledgement to present documents from the competent authorities of any of the member states of the European Union and the European economic space evidencing that these requirements have been met. Where a member state of the European Union and the European economic space does not issue such documents, compliance with the requirements may be evidenced with a declaration certified by a notary in the respective country.

(2) Where the exercise of a regulated profession requires a certificate of physical or psychic health, the acknowledging authority shall accept as sufficient evidence a document required in any of the member states of the European Union and the European economic space.

(3) The acknowledging authority may require the documents referred to in Paras. 1 and 2 to be issued not earlier than three months of the date of submission of the application for acknowledgement.

(4) Where for the exercise of a regulated profession it is required by law to make an oath, sign a declaration and/or register with a professional organisation, the acknowledging authority shall envisage a suitable and equivalent procedure for cases in which this legal form cannot be used by the person applying for acknowledgement.

#### Resolution of the Acknowledging Authorities

**Article 68.** (1) The acknowledging authorities shall issue a motivated resolution within 4 months of the date of submission of the application and the respective documents.

(2) (Amended, SG No. 30/2006) The refusal to acknowledge the qualification for a regulated profession shall be subject to appeal pursuant to the Administrative Procedure Code

## SUPPLEMENTARY PROVISIONS

### § 1. Within the meaning of this Act:

1. "Professional branch" shall mean an aggregate of professions in a branch of the economy or another sphere of public life determined by the National Branch Classification, in accordance with the respective sphere of education pursuant to the International Standard Classification of Education.

2. "Profession" shall mean a type of work activity for which vocational education and vocational training are organised.

3. "Part of a profession" shall mean a separate work activity within a profession for which vocational training can be organised.

4. "Speciality" shall mean an independently separated work activity within a profession.

5. "Professional qualification" shall mean qualification on a profession or part of a profession which includes the combination of professional competence and the general education knowledge and skills necessary for their formation.

6. "Professional competence" shall mean personal qualities formed on the basis of acquired knowledge and skills which contribute to initiative, teamwork and quality practising of a profession according to the state educational requirements for acquiring qualification on a profession.

7. "Professional qualification degree" shall mean the volume and content of professional competence and the general education knowledge and skill necessary for their formation.

8. "Deviant behaviour" shall mean a behaviour which contradicts public norms and which is subject to moral and legal sanctions.

9. (Repealed, SG No. 103/2002)

10. "Legal capacity" shall mean acknowledged possession of an obligatory amount of professional competence which gives right to practise specific work activities.

11. (New, SG No. 77/2005) "Regulated profession" shall mean an activity or set of activities the practicing of which is regulated by primary and secondary statutory instruments and administrative regulations for possession of specific professional qualification, legal capacity or membership in a professional organisation working towards the maintenance of high standards in the respective area, for which it has been specifically recognised by the government.

**§ 1a.** (New, SG No. 77/2005, effective as of the date of coming into force of the Treaty for the Republic of Bulgaria's accession to the European Union) For the purposes of Chapter Eight of this Act:

1. "Diploma" shall mean any document issued by a competent authority in a member state of the European Union and the European economic space evidencing that its holder possesses the theoretical and professional qualification for access to or exercise of a regulated profession in this member state of the European Union and the European economic space.

2. "Document for professional qualification" shall mean any document issued by a competent authority in a member state of the European Union and the European economic space evidencing that its holder possesses a set of professional competencies and the knowledge and skills necessary for their formation.

3. "Document for legal capacity" shall mean any document issued by a competent authority in a member state of the European Union and the European economic space which evidences that the holder possesses the mandatory set of professional competencies enabling him or her to exercise a legal profession.

4. "Professional experience" shall mean the period of time in which the person applying for acknowledgement has exercised legally the respective profession in a member state of the European Union and the European economic space.

5. "Adjustment training" shall mean the practicing of a regulated profession under the control of a qualified specialist on the territory of the Republic of Bulgaria.

6. "Examination for acknowledgement of legal capacity" shall mean the test of the professional knowledge of the person applying for acknowledgement which aims to assess that person's ability to exercise a regulated profession on the territory of the Republic of Bulgaria.

**§ 2.** The List of Professions for Vocational Education and Training shall also include the list referred to in Article 42, Paragraph 6 of the Public Education Act.

**§ 3.** This Act shall apply in the training institutions in the system of the Ministry of Defence, the Ministry of Interior, the Ministry of Regional Development and Public Works



and the Ministry of Transport, inasmuch as something else is not provided by the acts for their establishment and by the provisions of the special laws regarding their structure and activities.

**§ 3a.** (New, SG No. 77/2005, effective as of the date of coming into force of the Treaty for the Republic of Bulgaria's accession to the European Union) The legal right to exercise a regulated profession within the meaning of § 1, item 11 shall be acknowledged pursuant to this Act, unless otherwise provided in a special law.

### **TRANSITIONAL AND FINAL PROVISIONS**

**§ 4.** The Council of Ministers, at the proposal of the Minister of Education and Science, within six months from the entry into force of this Act, shall adopt Rules of operation of the National Agency for Vocational Education and Training and shall determine the total number of its personnel.

**§ 5.** Within one year from the enactment of this Act the Minister of Education and Science, at the proposal of the National Agency for Vocational Education and Training, in coordination with the Minister of Labour and Social Policy shall transform the existing pedagogical consultative offices and professional information centres into centres for information and vocational orientation or shall close them down.

**§ 6.** (Amended, SG No. 1/2000; SG No. 108/2000, SG No. 111/2001, SG No. 120/2002) The Minister of Education and Science, no later than the beginning of the 2004/2005 school year, shall determine by an order the state and municipal vocational schools, vocational secondary schools and vocational colleges in compliance with Article 18. The order shall be promulgated in the State Gazette.

**§ 7.** Until the adoption of the state educational requirements for acquiring qualification on professions, the plans and programmes for the respective professions and specialities approved by the Minister of Education and Science shall apply.

**§ 7a.** (New - SG No. 29/03) (1) Students admitted during the 1998 - 1999 school year to 1st course or 8th grade with admission after 7th grade with intensive studying of a foreign language in technical schools, secondary professional and technical schools, professional secondary schools or in classes for acquiring professional qualification in secondary general schools and secondary schools, shall acquire professional qualification under the conditions and following the procedure of this Act and shall receive a certificate referred to in Article 25, Paragraph 1, item 2 of the Public Education Act without taking state exams referred to in Article 36, Paragraph 1.

(2) Students who entered 9th grade during the 1999 - 2000 school year with admission after primary education into technical schools, secondary professional and technical schools, professional secondary schools or classes for acquiring professional qualification in secondary general schools, secondary schools and special schools, shall acquire professional qualification under the conditions and following the procedure of this Act and shall acquire a certificate pursuant to Article 25, Paragraph 1, item 2 of the Public Education Act without taking state exams referred to in Article 36, Paragraph 1.

(3) The students referred to in Paragraphs 1 and 2 shall take the exams for acquiring professional qualification, pointed out in the study plans according to § 7:

1. for acquiring of second degree of professional qualification - in theory with a summarised syllabus and in practice according to an assignment determined by the school and after successfully completed 12th grade;

2. for acquiring of third degree of professional qualification - in theory with a summarised syllabus or defence of diploma thesis and in practice according to an assignment determined by the school and after successfully completed 13th grade.

**§ 7b.** (New - SG No. 29/03) (1) Students who entered during the 1998 - 1999 school year 8th grade with admission after 7th grade in the schools for arts shall acquire professional qualification under the conditions and following the procedure of this Act and shall acquire a

certificate pursuant to Article 15, Paragraph 1, item 2 of the Public Education Act without taking state exams referred to in Article 36, Paragraph 1

(2) The students referred to in Paragraph 1 shall take the exams for acquiring professional qualification - in theory with a summarised syllabus or defence of diploma thesis and in practice according to an assignment determined by the school and after successfully completed 12th grade.

**§ 7c.** (New - SG No. 29/03) (1) The persons completing during the 2002 - 2003 school year their education in professions and specialities with admission after completed secondary education shall not take state exams for acquiring of professional qualification referred to in Article 36, Paragraph 1.

(2) The persons referred to in Paragraph 1 shall take exams for acquiring of second and/or third degree of professional qualification envisaged in the study plans according to § 7:

1. for acquiring of second degree of professional qualification - in theory with a summarised syllabus and in practice according to an assignment determined by the school;

2. for acquiring of third degree of professional qualification - in theory with a summarised syllabus or defence of diploma thesis and in practice according to an assignment determined by the school.

**§ 8.** Half of the members of the Managing Board of the National Agency for Vocational Education and Training, during the first mandate, shall be renewed by four representatives of each the quotas of the organisations of employees on national level by cast and by four representatives of the ministries quota.

**§ 9.** Items 7 and 8 in Article 26, Paragraph 1 of the Public Education Act (Promulgated, SG No. 86/1991; amended, SG No 90/1996 and SG Nos. 36, 124 and 153/1998), shall be amended as follows:

"7. vocational secondary schools - from 8th or 9th grade through 12th or 13th grade including;

8. vocational - from 7th or 8th grade with duration of the education of up to three years, from 9th grade - with duration of the education up to four years and vocational colleges after completed secondary education - with duration of the education of up to two years;"

**§ 10.** In the Protection in Cases of Unemployment and Promotion of Employment Act (promulgated, SG No. 120/1997; amended, SG No. 155/1998, SG Nos. 26 and 50/1999) Section I of Chapter Six "Professional Qualification" and § 1, item 8 of the supplementary provisions shall be repealed.

**§ 11.** The implementation of this Act shall be assigned to the Minister of Education and Science.

Act Amending and Supplementing the Vocational  
Education and Training Act  
(SG No. 103/2002)

§ 40. Throughout the Act the words "the state educational requirement for the level of education, the general education minimum and the curriculum" shall be replaced with "the Level of Education, General Education Minimum and Curriculum Act", and the words "the inspectorates of education" shall be replaced with "the regional inspectorates of education".

#### TRANSITIONAL AND FINAL PROVISIONS

to the Act Amending and Supplementing the Tourism Act  
(SG No. 28/2005, effective as of 1.04.2005)

§ 14. The secondary statutory instruments for implementation of the Protection and Promotion of Culture Act , the Public Education Act , the People's Chitalishte Act , the Monuments of Culture and Museums Act , the Vocational Education and Training Act and the Film Industry Act issued by or jointly with the Minister of Culture prior to the coming into force of this Act shall remain in force. ....

TRANSITIONAL AND FINAL PROVISIONS

to the Act Amending and Supplementing the Professional Education and Training Act

(SG No. 77/2005, effective 27.09.2005)

.....  
§ 16. The secondary statutory instruments regulating the acknowledgement of professional qualification and/or legal capacity to exercise a regulated profession acquired in member states of the European Union and the European economic space shall be issued or amended within 6 months of the coming into force of this Act.