

<b>BULGARIA</b>			
<b>COMPETITION FRAMEWORK</b>			
Competition Law	The Law on Protection of Competition published on the State Gazette, Issue 102 of November 28, 2012 and enacted on November 1, 2008.		
Competition Authority	Commission on Protection of Competition. Website: <a href="http://www.cpc.bg/default.aspx">http://www.cpc.bg/default.aspx</a>		
<b>STATUS OF THE COMPETITION AUTHORITY</b>			
<b>Accountability</b>			
Does the Competition Authority have obligations before the executive?	No	X	Obligations to report to the executive on on-going investigations upon request.
		X	The decisions of the Competition Authority may be vetoed by a ministry or by the executive branch.
		X	The Competition Authority has to report on an annual basis to the executive.
Does the Competition Authority have obligations before the legislature?	Yes	√	Obligation to publish an annual report on its activities.
		X	Obligation to stand before parliament and to respond to congressmen on an annual basis.
		X	Its activities are monitored by an independent auditor or by oversight committees.
		<b>Other obligations/comments:</b> The obligation to publish the report is on article 14 of the Competition Law.	
Does the Competition Authority have obligations before the judiciary?	Yes	√	Decisions of the Competition Authority are subject to judicial review.
<b>Independence</b>			
Are the criteria for appointment and removal of the head/board members clear and transparent?	Yes	<i>See</i> Competition Law, article 4.	
Does the executive have powers to decide on specific cases based on public interest?	No		
Does the executive retain decision-making powers over the Competition Authority?	No		
Is the Competition Authority obliged to publish its reasoned decisions to ensure transparency?	Yes	<i>See</i> Competition Law, article 62.	
Is there a provision of the national budget allocated by law to the Competition Authority to ensure its proper functioning?	Yes	<i>See</i> Competition Law, article 13.	
Can the Competition Authority be financed by its own means (notification fees, fines, etc.)?	Yes	<i>See</i> Competition Law, article 13.	
<b>GOVERNANCE OF THE COMPETITION AUTHORITY</b>			
Is the Competition Authority governed by a single chairman or by a collegiate body?	Collegiate	There is a collegiate body of seven members, including the chairman.	
Are the heads appointed by a minister?	No		
Are the heads appointed by representatives of more than one government branch?	No	Only by the National Assembly.	
Is there a fixed period during which removal is prohibited?	Yes	Six years for the chairman and five years for the rest of members.	
Is the tenure of the heads renewable?	Yes	There is no limitation for renewal.	
Are the heads required to have certain minimum qualifications (degree in law or economics, age, experience)?	Yes	<i>See</i> article 4 of the Competition Law.	
<b>ARCHITECTURE</b>			
Is the Competition Authority a stand-alone agency with an independent physical location or is it part of a bigger entity such as a minister?	Stand-alone agency.		
<b>POLICY-MAKING AGENTS -DIVERSIFICATION-</b>			
How many agencies are responsible for competition enforcement?	One agency.	<i>See</i> article 27 of the Competition Law.	
Do sector regulators have competition policy enforcement mandate?	No		
<b>POLICY DUTIES</b>			
Does the Competition Authority have exclusive	Exclusive	X	Concurrent consumer protection mandate.

mandate on competition or multiple mandates?	competition mandate	X	Concurrent IP mandate.
<b>Other mandates:</b> The law includes unfair competition as part of the Competition Authority mandates.			
<b>PORTFOLIO INSTRUMENTS</b>			
<b>Law Enforcement</b>			
Does the Competition Authority have powers to investigate cartels?	Yes	See Competition Law, articles 8 and 15.	
Does the Competition Authority have powers to conduct dawn raids at premises?	Yes	See Competition Law, article 50.	
Can the Competition Authority investigate <i>ex officio</i> cases?	Yes	See Competition Law, article 38.	
Does the Competition Authority have powers to accept leniency applications?	Yes	See Competition Law, article 101.	
Does the Competition Authority have powers to accept seek criminal punishment?	No		
<b>Advocacy</b>			
Can the Competition Authority issue opinions on draft legislation?	Yes	See Competition Law, article 8. The opinions are not binding.	
Is the executive and/or the legislature obliged to request the opinion of the Competition Authority when drafting legislation that may impact competition?	No		
<b>Rulemaking</b>			
Can the Competition Authority issue guidelines or other type of secondary legislation?	Yes	X	Guidelines on the calculation of fines.
		√	Guidelines on merger control.
		X	Guidelines on the economic analysis of abuse of dominance cases.
<b>Research &amp; Reporting</b>			
Can the Competition Authority carry out market studies?	Yes		
Can the Competition Authority report to the legislature on the results of market studies?	Yes		
<b>DECISION-MAKING FUNCTIONS</b>			
<b>Aggregated Functions</b>			
Does the Competition Authority make the decision to investigate and to prosecute cases?	Yes		
Does the Competition Authority make guilty findings?	Yes		
Does the Competition Authority impose punishments?	Yes		
Is there a single body that carries out the investigation and the guilty findings within the Competition Authority?	No		
Can the Competition Authority's decisions be appealed to a court?	Yes		
<b>Disaggregated Functions—Prosecutorial Model</b>			
Are there different authorities that make the decision to investigate and to prosecute cases?	No		
Are disputes presented for decision to a separate entity/tribunal?	No		