

ACT ON DEVELOPMENT OF THE ACADEMIC STAFF IN THE REPUBLIC OF BULGARIA

Prom. SG. 38/21 May 2010, amend. SG. 81/15 Oct 2010, amend. SG. 101/28 Dec 2010, amend. SG. 68/2 Aug 2013, amend. and suppl. SG. 30/3 Apr 2018, amend. SG. 17/26 Feb 2019, amend. SG. 17/25 Feb 2020, suppl. SG. 21/12 Mar 2021, amend. and suppl. SG. 56/19 Jul 2022, amend. SG. 102/23 Dec 2022

Chapter one. GENERAL PROVISIONS

Art. 1 (1) (Suppl. - SG 30/18, in force from 04.05.2018) This act shall provide for the public relations associated with the acquiring of scientific degrees and holding academic positions in the Republic of Bulgaria.

(2) Principles for awarding scientific degrees and taking academic positions shall be as follows:

1. autonomy of the higher schools and scientific organizations and the related to it decentralization of the procedures under this act;

2. free choice of scientific development and objectivity of its assessment;

3. (amend. – SG 101/10, suppl. - SG 30/18, in force from 04.05.2018) guaranteeing the public interest, related to the quality of the educational process and scientific researches, by setting uniform state requirements and monitoring over their compliance, as well as controlling the quality of scientific research;

4. international recognition, exchange of experts and information while conducting the procedures, in view to building up a single educational and scientific-research area.

(3) (Announced as anti-constitutional by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10) The concrete conditions and procedure for awarding scientific degrees and for occupying academic positions shall be determined by the relevant rules of procedure of the higher schools and scientific organizations, while observing the single state requirements.

Art. 2. (1) (Amend. - SG 30/18, in force from 04.05.2018) The academic staff shall include the persons holding academic positions in the higher schools and scientific organizations, as well as other persons identified in the Higher Education Act.

(2) The scientific degrees shall be:

1. (amend. – SG 101/10) "Doctor" (educational and scientific);

2. "Doctor of Science".

(3) The academic positions shall be:

1. "Assistant";

2. "Chief Assistant";

3. "Reader";

4. "Professor".

Art. 2a. (New - SG 30/18, in force from 04.05.2018) (1) The Minister of Education and Science shall, through the National Center for Information and Documentation, create and maintain a public register as an electronic database in which shall be recorded the following:

1. the persons who have acquired the educational and scientific degree "Doctor" and/or the scientific degree "Doctor of science" in a higher school or scientific organization in the Republic of Bulgaria;

2. the dissertations defended, and

3. the habilitated persons in the Republic of Bulgaria.

(2) The register shall also include persons who have acquired degrees abroad, recognized under the legal order.

(3) Higher schools and scientific organizations shall send to the National Center for Information and Documentation a copy of the defended dissertation papers and the dissertations' abstracts on paper and in electronic form, information about the issued diplomas for the acquired educational and scientific degree "Doctor" and scientific degree " Doctor of Sciences ", as well as for the persons elected to academic positions within 14 days from the date of the issue of the diploma, respectively from the date of the election.

(4) The National Center for Information and Documentation shall maintain an archive of the defended dissertation papers in electronic and printed format, with public access.

(5) For each person entered in the register under Para. 1, an electronic profile shall be created, indicating:

1. circumstances related to the individual scientific-metric indicators that reflect the scientific results of the person, and/or the results that reflect his achievements in the artistic or sports activities;

2. circumstances related to the individual indicators which reflect the academic achievements in the teaching activity;

3 the change in the academic position occupied;

4. the dismissal from any academic position and the reasons thereof;

5. other circumstances that reflect the scientific and academic results of the person and/or his performance in artistic or sports activities.

(6) (Amend. - SG 17/19, suppl. - SG 56/22) The information in the register shall be maintained in compliance with the requirements of the protection of personal data and the Copyright and Related Rights Act. The National Center for Information and Documentation receives free of charge on an official basis through the inter-register exchange environment maintained by the Minister of e-Government, data on natural persons according to Art. 25 of the Civil Registration Act, maintained by the General Directorate "Civil Registration and Administrative Services" at the Ministry of Regional Development and Public Works, within the scope necessary for keeping and maintaining the register under para. 1.

(7) (Suppl. - SG 56/22) The circumstances under Para. 5 shall be entered in the register upon request of the higher schools, scientific organizations, or the persons themselves. The applicant shall declare the correctness of the circumstances filed for entry which are not to be certified by an official document. Termination of academic and research activity due to death or dismissal from an academic position based on Art. 35, para. 1, as well as the revocation of the academic degree pursuant to Art. 35, para. 2 are noted in the register ex officio.

(8) The Executive Director of the National Center for Information and Documentation shall refuse entry in the register, when it is established under the statutory order that:

1. the circumstances filed for entry are false;

2. the attached official documents have not been issued in the form established by law.

(9) The refusal under Para. 8 may be appealed under the terms and procedure of the

Administrative Procedure Code.

(10) The requisites, the conditions and the procedure for keeping the register under Para. 1 shall be determined by an ordinance of the Minister of Education and Science.

Art. 2b. (New - SG 30/18, in force from 04.05.2018) (1) Candidates wishing to acquire scientific degrees and hold the academic positions "Chief Assistant", "Associate Professor" and "Professor" must meet minimum national requirements for their scientific, teaching and/or artistic or sporting activities as defined in this Act, hereinafter referred to as "minimum national requirements".

(2) Minimum national requirements shall be a set of requirements, each of which is to be determined by the numerical values of one or several objectively measurable indicators relevant to the respective scientific field and/or professional field, such as:

1. scientific metrics reflecting the scientific results and their response in the scientific literature, and/or indicators reflecting measurable achievements in artistic or sporting activities such as: number of authors' monographs, number of publications in referenced and indexed publications, number of chapters in books, number of studies and/or surveys, number of citations without self-citations in referenced and indexed publications by other authors of the candidate's publications, number of applications for international patents filed, number of applications for national patents filed, number of issued international and/or number of national patents, number of reports presented - including plenary and upon invitation – at scientific conferences; honours and awards received in connection with the candidate's scientific, artistic or sports achievements, number of participations in scientific and/or organizational committees of international conferences, participations as editor or as a member of the editorial team in referenced and indexed publications, number of successfully managed scientific projects by the candidate in the field of the respective scientific, artistic-creative or sports activities or participation therein as a member, number of authors' exhibitions, number of authors' movies, number of broadcast own radio- and/or television shows, number of presented authors' concerts, number of written scores and other similar achievements, and other proprietary rights;

2. indicators which reflect measurable academic results in teaching activity such as: number of candidate-supervised dissertations for the acquisition of the educational and scientific degree "Doctor", number of new lecture courses introduced, number of new exercises for lecture courses developed, number of published textbooks abroad, number of published textbooks and/or teaching materials in the Republic of Bulgaria, including electronic textbooks, Master's and / or Bachelor's degree programs manual and other similar academic achievements in teaching.

(3) The minimum national requirements under Para. 2 on scientific fields and/or professional fields for the acquisition of each scientific degree and the occupation of each academic position shall be determined in the regulation for implementation of this Act on the basis of a set of indicators from among the indicators under Para. 2, and are to be expressed as the minimum number of points the candidate has to obtain according to his individual scores on these indicators.

(4) Any candidate who has received not less than the minimum number of points for the respective scientific field or professional field, and for the respective scientific degree and academic position based on his individual results on the indicators under Para. 3, shall meet the minimum national requirements. The minimum number of points and the order of their calculation shall be determined in the regulation under Para. 3 for each scientific area and/or professional field, and for each scientific degree and each academic position.

(5) Higher schools and scientific organizations may lay down in their regulations additional requirements for candidates for taking up academic positions in compliance with this Act and the rules for its implementation.

Art. 3. (1) (amend. – SG 101/10, suppl. - SG 30/18, in force from 04.05.2018, amend. and suppl. - SG 56/22) The procedures for admittance of regular and correspondent Doctor, as well as for occupying academic positions shall be open by a permission of the higher school and the scientific organization for conducting a competition. The competition shall be announced in the State Gazette and on the internet site of the relevant higher school or scientific organization, and the competition for the training of doctoral students under Art. 21, para. 7 of the Higher Education Act - only on the page of the relevant higher education institution or scientific organization. Information on the competition shall also be sent to the National Centre for Information and Documentation for publication no later than 7 days after the decision to announce the competition by the relevant academic or scientific council.

(2) (New - SG 56/22) Open procedures under para. 1 are suspended and terminated by a decision of the higher school or scientific organization.

(3) (amend. – SG 101/10, amend. - SG 30/18, in force from 04.05.2018, prev. para 2, suppl. - SG 56/22) The applicant shall submit documents subject to the terms and conditions and following the procedure, stipulated in this act, and following the procedure, laid down in the by-laws of the relevant higher school or scientific organization within a term, not shorter than 2 months after the announcement in the State Gazette, and for the training of doctoral students under Art. 21, para. 7 of the Higher Education Act - within a period not less than one month after publication of the announcement on the website of the higher education institution or scientific organization.

(4) (New - SG 30/18, in force from 04.05.2018, prev. para 3 - SG 56/22) Assessment of the thesis and the candidates for the academic positions "Chief Assistant", "Associate Professor" and "Professor" shall be carried out only for the persons who meet the minimum national requirements under Art. 2b, Para. 2 and 3, respectively the requirements under Art. 2b, Para. 5.

Art. 4. (amend. – SG 101/10, amend. - SG 30/18, in force from 04.05.2018) (1) The assessment of compliance with the minimum national requirements under Art. 2b, Para. 2 and 3, respectively with the requirements under Art. 2b, Para. 5, as well as the evaluation of the dissertation and of the candidates for academic positions "Chief Assistant", "Associate Professor" and "Professor", including the results, scientific contribution and originality of the works submitted, shall be carried out by a scientific panel. For each specific procedure, the composition of the panel shall be proposed by the primary unit and is to be approved by the faculty council, respectively the scientific council.

(2) The Rector of the higher school, respectively the Head of the scientific organization, shall determine by order the composition of the scientific panel based on the proposal approved by the order of Para. 1, within not more than 14 days from its receipt.

(3) As members of the scientific panel shall be elected persons habilitated in Bulgarian higher schools or scientific organizations, with results in the respective specialty and/or professional field of the competition or topic of the dissertation, and if not possible - in the respective scientific field, included in the register under Art. 2a, and/or scientists from foreign higher education institutions or scientific organizations with results in the relevant specialty and/or professional field and/or scientific field. In the case of the interdisciplinary nature of the announced competition or topic of the dissertation, at least one member of the panel must be from another scientific field, to which the announced competition or topic of the dissertation is relevant. The choice shall be made by two distinct groups - outside and inside members for the respective higher school or scientific organization. When selecting a scientific panel, one external and one internal reserve member shall also be appointed.

(4) The members of the scientific panel must meet the relevant minimum national requirements

under Art. 2b, Para. 2 and 3.

(5) As members of the scientific panel under Para. 1 shall not be elected persons:

1. who have a conflict of interest within the meaning of § 1, item 2a of the Additional provisions with a candidate to obtain scientific degree or to hold academic position, or for whom the restrictions under Art. 33 apply;

2. who are related persons within the meaning of § 1, item 5 of the Additional provisions, with a candidate for academic degree or for holding academic position;

3. (amend. and suppl. - SG 56/22) for whom plagiarism or unreliability of the presented scientific data in their scientific works has been proven according to the law;

4. who are dismissed from any academic position on the grounds of Art. 35, Para. 1, item 2;

5. who have been members of the scientific panel under the previous two consecutive procedures for the defense of dissertation and / or for taking an academic position in the same professional field, in the respective higher school or scientific organization, in cases where there are sufficient number of habilitated persons in this professional field.

(6) The circumstances under Para. 5, items 1 - 4 in the procedures for acquiring a scientific degree and for holding academic position shall be established by a declaration by each member of the scientific panel, and under Para. 5, item 5 they shall be established by the respective higher school or scientific organization.

(7) Upon request addressed to the faculty council or the scientific council of the candidate for academic degree or academic appointment, one member of the panel shall be replaced by another of the respective quota, in the manner stipulated by the law. The request can only be made once.

(8) At its first meeting, the scientific panel under Para. 1 shall:

1. elect one of its members as chairperson;

2. (amend. - SG 56/22) decide on admitting candidates to the assessment process, as per the requirements under Art. 3, Para. 4;

3. determine amongst its members those to become reviewers for the admitted candidates.

(9) The decisions of the panel shall be adopted following an open vote and a simple majority, and shall be drawn up in the minutes of the meeting. The minutes shall contain as its integral part the reasons for the adoption of the respective decision, including regarding:

1. the results of the candidate, his scientific contribution, originality of the presented works and authenticity of the submitted scientific data;

2. the candidate 's responses to the comments made in the reviews and opinions, and to the questions raised;

3. reasons for accepting or not accepting the opinion of the candidate in the cases under Para. 11, Sentence Two.

(10) Panel meetings cannot be held in reduced number of members. Refusal by a panel member to take part in a meeting or refusal to sign in the minutes shall be established with the signatures of the panel members present, and shall not justify the suspension of the procedure. Decisions of the panel may also be taken in absentia, in which case the discussion and voting are to be carried out via the appropriate technical means under the conditions and by the order established in the regulations of the higher school or the scientific organization.

(11) (Amend. - SG 56/22) Should, during the assessment under Para. 1, plagiarism be established by any member of the scientific panel, or a plagiarism or unreliability of the presented scientific data alert be received which is motivated and not anonymous, the scientific panel shall be bound to give its decision by way of judgement regarding the their presence or absence in the dissertation, or the scientific works presented in the competition under an order established in this Act and in the regulations of the higher schools and scientific organizations. In such cases, before deciding,

the scientific panel shall give the candidate the opportunity to express his opinion.

(12) (Suppl. - SG 56/22) In the event of plagiarism or unreliability of the presented scientific data alert during an assessment procedure having already begun under Para. 1, the latter cannot be terminated due to the withdrawal of the candidate's documents.

(13) The reviews and opinions, the summaries of the reviewed publications and the dissertations' abstracts shall be published on the Internet site of the higher school or scientific organization in Bulgarian and in one of the languages traditionally used in the respective scientific field. The public access shall be kept for at least 5 years after completion of the procedure.

Chapter two.

AWARDING EDUCATIONAL AND SCIENTIFIC DEGREE OF DOCTOR AND THE SCIENTIFIC DEGREE OF DOCTOR OF SCIENCE (TITLE AMEND. – SG 101/10)

Art. 5. (1) (amend. and suppl. – SG 101/10) The educational and scientific degrees of Doctor and of the scientific degree of Doctor of Science shall be awarded only in the higher schools or scientific organizations, having received accreditation for education in the educational and scientific degree of Doctor by NAAA, under the terms and conditions of the Higher Education Act.

(2) (amend. – SG 101/10) The educational and scientific degrees of Doctor and the scientific degree of Doctor of Science shall be termless and shall be in force for the territory of the whole country.

(3) (Amend. - SG 30/18, in force from 04.05.2018) Academic degrees acquired abroad shall be recognized by the Minister of Education and Science through the National Center for Information and Documentation or by the higher schools or scientific organizations in the Republic of Bulgaria under the conditions and by the order determined by this act and their own regulations, in compliance with the normative acts and the international treaties, to which the Republic of Bulgaria is a party.

(4) (New - SG 30/18, in force from 04.05.2018) The recognition of a degree acquired abroad, corresponding to the educational and scientific degree "Doctor", shall be done in order to:

1. facilitate the access to the labour market, as well as for other purposes where the applicant has a legitimate interest;

2. have access to training for enhancing the qualification, contracting with post-doctoral students and for taking up academic positions in the respective higher schools and scientific organizations.

(5) (New - SG 30/18, in force from 04.05.2018) In the cases under Para. 4, item 1, the recognition procedure shall be organized by the Minister of Education and Science through the National Center for Information and Documentation, and in the cases under Para. 4, item 2 and in recognition of a scientific degree "Doctor of Science" acquired abroad - also from the respective higher schools and scientific organizations.

(6) (New - SG 30/18, in force from 04.05.2018) The refusal to recognize from the bodies under Para. 5 may be appealed under the terms and procedure of the Administrative Procedure Code.

(7) (New - SG 30/18, in force from 04.05.2018) For the recognized degrees under Para. 3 – 5, a certificate shall be issued by the higher schools and scientific organizations, which is to be sent for entry of the persons under Art. 2a, Para. 2 in the register under Art. 2a.

(8) (New - SG 30/18, in force from 04.05.2018) The academic degrees recognized by the order of Para. 3-7 shall be valid indefinitely and apply throughout the country.

Art. 5a. (New - SG 30/18, in force from 04.05.2018) (1) The academic and scientific degree "Doctor" may be acquired under conditions of joint guidance by a Bulgarian Head of a higher school or a scientific organization receiving accreditation for training in the educational and scientific degree "Doctor" of the National Evaluation and Accreditation Agency, and a foreign tutor from a state-accredited higher education institution or a scientific organization for training in the educational and scientific degree "Doctor", or its corresponding degree.

(2) The educational and scientific degree "Doctor" under the order of Para. 1 shall be acquired in Bulgarian and foreign higher education institutions and scientific organizations under a contract between them for joint management of training under Para. 1 and observance of the regulations of the respective countries, and of the regulations of the respective higher schools and scientific organizations.

(3) The conditions for admission, joint guidance, distribution of doctoral mobility periods, defense of dissertations and the publication of the diploma shall be laid down in the regulations of the higher education institutions and scientific organizations which prepare and conclude framework contracts for joint training guidance under Para. 1.

(4) For the training under Para. 1 the Bulgarian and foreign higher education institutions or scientific organizations that carry out the joint training shall jointly issue a diploma for the educational and scientific degree "Doctor", or individual diplomas with the mention of the joint guidance.

Art. 6. (1) (amend. – SG 101/10, suppl. - SG 30/18, in force from 04.05.2018) The educational and scientific degree of Doctor shall be awarded to a person with educational-qualification degree of Master which meets the minimum national requirements under Art. 2b, Para. 2 and 3.

(2) (new – SG 101/10) For being awarded the educational and scientific degree of Doctor, the person referred to in par. 1 must defend a dissertation paper subject to the terms and conditions and following the procedure set out in this act.

(3) (new – SG 101/10) The dissertation paper referred to in par. 2 must contain scientific or applied scientific results, being an original contribution to science. The dissertation paper must show that the applicant has got deep theoretical knowledge in the respective specialty and capacity for independent scientific research.

(4) (prev. par. 2 – SG 101/10) The dissertation paper shall be prepared through regular study, correspondent study or self-preparation in a Doctor's programme, received accreditation by NAAA of a higher school or scientific organization. The preparation shall be possible also through a distant form of education.

Art. 7. (1) (Amend. - SG 56/22) Accepting regular and correspondent post-graduate students shall be proceeded through a competition, which shall be conducted not earlier than 1 month after expiry of the term for submitting documents under Art. 3, Para. 3.

(2) The applicants for post-graduate students at self-preparation shall propose for discussion in the relevant cathedra, departments or institute a draft of the dissertation paper, developed in its basic part and a bibliography.

(3) The acceptance of the applicants, successfully passed the competition, respectively – of the applicants with approved drafts under Para. 2, shall be done by a permission of the faculty or scientific panel of the higher school or scientific organization

Art. 8. (1) (Suppl. - SG 56/22) The education of the post-graduates shall be proceeded according to a plan under the terms and conditions of the Higher Education Act and the rules of

procedure of the relevant higher school or scientific organization and of doctoral students under Art. 21, para. 7 of the Higher Education Act - in accordance with the terms of the project too.

(2) (Amend. - SG 102/22) The regular form of education lasts up to three years, the part-time and distance education - up to 4 years, and the education of doctoral students of self-study and of those under Art. 21, para. 7 of the Higher Education Act lasts up to 5 years.

(3) Upon exception, regulated by the rules of the relevant higher school or scientific organization, the term may be extended, but not more than 1 year.

(4) (New - SG 30/18, in force from 04.05.2018) Within one month after the expiration of the term under Para. 2 or 3, the primary unit shall propose to the faculty council or the scientific council that the post-graduate student be taken out, with or without the right of defense.

(5) (New - SG 30/18, in force from 04.05.2018) The faculty council, respectively the scientific council, shall pronounce with decision on the proposal of the primary unit at its first meeting after the meeting of the primary unit of Para. 4.

(6) (New - SG 30/18, in force from 04.05.2018) The right of defense may be exercised within a term defined in the regulations of the respective higher education institution or of the scientific organization, but not later than 5 years from the decision of the faculty council, respectively the scientific council under Para. 5.

Art. 9. (1) (Amend. – SG 101/10, previous text of Art. 9 - SG 30/18, in force from 04.05.2018) The scientific panel for defending a dissertation work shall consist of five persons, where at least three of them shall be external for the higher school or scientific organization. At least one of the panel members must be with Professor's rank.

(2) (New - SG 30/18, in force from 04.05.2018) Allowed to have their defense of dissertation shall be the persons who meet the minimum national requirements under Art. 2b, Para. 2 and 3.

Art. 10. (1) (Amend. - SG 30/18, in force from 04.05.2018, amend. - SG 56/22) The panel members shall prepare two reviews, at least one of which by an external person, and three opinions. The reviews and opinions shall obligatory have a positive or negative assessment.

(2) (New - SG 30/18, in force from 04.05.2018, suppl. - SG 56/22) In the cases under Art. 4, Para. 11, the members of the scientific panel must give an opinion in their reviews and opinions on the presence or absence of plagiarism or unreliability of the presented scientific data in the dissertation presented for assessment.

(3) (Announced as anti-constitutional in the part regarding the expression “and English” by a Decision of the Constitutional Court № 11 of 2010 – SG 81/10; amend. – SG 101/10, previous Art. 2 - SG 30/18, in force from 04.05.2018) The reviews and opinions shall be prepared within three months from the nomination of the panel, and shall be published together with the summary of the dissertation on the internet site of the higher school or of the scientific organization.

(4) (New - SG 30/18, in force from 04.05.2018) In the cases under Para. 2, the scientific panel shall pronounce its decision by a simple majority on the presence or absence of plagiarism. The decision shall be taken not later than 7 days after the expiration of the term under Para. 3.

(5) (New - SG 30/18, in force from 04.05.2018) The candidate for the acquisition of the educational and scientific degree "Doctor" shall not be allowed to defend the dissertation work when the scientific panel has voted on a decision that there is plagiarism in the work being assessed.

(6) (New - SG 30/18, in force from 04.05.2018) The decision of the scientific panel may be challenged before the faculty council, respectively the scientific council, by a procedure specified in the regulations of the higher school, respectively of the scientific organization.

Art. 11. (1) (Suppl. - SG 30/18, in force from 04.05.2018) Within 1 month after publication of the reviews and opinions, the panel shall hold an open meeting for defending the dissertation paper of a candidate who has been admitted in accordance with the requirements of Art. 9 and 10.

(2) A successfully defended dissertation shall be that, which has received during the defending at least 3 positive assessments, where each panel member shall announce his/her assessment in public.

(3) (amend. – SG 101/10) Unsuccessful dissertation paper shall be returned for additional work. If the applicant wishes so, not later than a year after the returning, a new procedure shall be announced for defending, which shall be final.

(4) (amend. – SG 101/10) The educational and scientific degree of Doctor shall be awarded from the day, on which the dissertation paper has been defended successfully.

Art. 12. (announced as anti-constitutional by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10; new – SG 101/10) (1) (Suppl. - SG 30/18, in force from 04.05.2018) The scientific degree of Doctor of Science shall be awarded to a person with an educational and scientific degree of a Doctor who meets the minimum national requirements under Art. 2b, Para. 2 and 3.

(2) For awarding of the scientific degree of a Doctor of Sciences the person referred to in par. 1 must defend a dissertation paper subject to the terms and conditions and following the procedure of this act.

(3) (New - SG 30/18, in force from 04.05.2018) Admitted to defend their dissertation shall be persons who meet the minimum national requirements under Art. 2b, Para. 2 and 3.

(4) (Previous Art. 3 - SG 30/18, in force from 04.05.2018) The dissertation paper under Para. 2 must contain theoretical conclusions and solutions of major scientific and applies scientific problems, which correspond to the up-to-date achievements and can be regarded as a considerable and original contribution to science.

(5) (Previous Art. 4 - SG 30/18, in force from 04.05.2018) The dissertation paper referred to in para. 2 shall be prepared independently and may not repeat literally the topic and a considerable part of the content of the paper presented for awarding of the educational and scientific degree of Doctor.

(6) (Previous Art. 5 - SG 30/18, in force from 04.05.2018) The dissertation paper and the summary shall be proposed by the applicant for discussion to the respective unit, department or institute.

Art. 13. (1) (amend. and suppl. – SG 101/10) Defending the dissertation paper for awarding of scientific degree of Doctor of Science shall be done in public before a panel of seven habilitated persons, whereby at least 3 of them shall be professors. Minimum four of the members of the panel shall be external for the relevant higher school or scientific organization persons.

(2) For the defending, the respective provisions of Art. 10 and 11 shall be applied. Three of the panel members shall draw up reviews, the rest of them – opinions. Two of the reviews shall be by professors and at least one review – by an external for the higher school or scientific organization person.

(3) (new – SG 101/10) As successfully defended shall be deemed a dissertation, the defense of

which has been assessed with minimum four positive marks, whereby every member of the panel shall announce their assessment publically.

(4) (prev. par. 3 – SG 101/10) The scientific degree Doctor of Science shall have been awarded from the day, in which the dissertation paper has been defended successfully.

Art. 14. (1) (amend. – SG 101/10; amend. – SG 68/13, in force from 02.08.2013, amend. - SG 56/22) The educational and scientific degree of Doctor and scientific degree of Doctor of Science shall be certified by a diploma, issued by the relevant higher school or scientific organization in an unified form, approved by the Minister of Education and Science.

(2) The diploma under Para. 1 shall be issued in the Bulgarian language, and in case of a request by the person, it shall be issued with a supplement in the English language.

Art. 14a. (new – SG 101/10) (1) Where all other conditions are equal, the persons, having been awarded the scientific degree of Doctor of Science shall be privileged for taking academic offices under this act.

(2) For the education and scientific degree of Doctor or for the scientific degree of Doctor of Science related to the carried duties, the persons shall be paid an extra monthly allowance in an amount determined by the Council of Ministers.

Chapter three.

TERMS AND CONDITIONS AND PROCEDURE OF OCCUPYING OF ACADEMIC POSITIONS (TITLE AMEND. – SG 101/10)

Section I.

General Provisions

Art. 15. (1) (suppl. – SG 101/10, suppl. - SG 30/18, in force from 04.05.2018) The academic positions shall be opened in higher school or scientific organization, under the terms and provisions, determined by the act and by their rules of procedure. The rules of procedure of higher schools and scientific organizations may set out additional requirements for occupying the academic positions of Assistant, Reader and Professor in consideration of the specifics of individual professional fields.

(2) (announced as anti-constitutional by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10; new – SG 101/10) The academic position shall be occupied under an employment contract.

(3) (Amend. - SG 30/18, in force from 04.05.2018) Moving from an academic position of the same academic position in another higher school or scientific organization may be done without competition, with election following the decision of the accepting higher school or scientific organization and under the terms and provisions, determined by their rules of procedure. In the same order, transfers may also be done to the same academic position or a respective one from a foreign higher education institution or scientific organization which are recognized and accredited by the relevant competent authorities of the foreign state.

(4) (amend. – SG 101/10) In the higher schools and faculties of art and sports, to occupy academic positions may be applied with specific for the relevant area artistic, creative and sport achievements.

(5) (Suppl. - SG 30/18, in force from 04.05.2018) In cases of interrupting the employment contract not because of the habilitated person's fault, all personal rights, comprising from the relevant academic position shall be kept, including the right to participate in scientific panels designated by the order of this Act.

Art. 16. (Amend. and suppl. - SG 30/18, in force from 04.05.2018) Persons occupying the academic positions shall be subject to periodic attestation not less than once every 5 years according to a procedure determined in the Higher Education Act and the regulations of the higher schools and scientific organizations.

Section II.

Terms and Conditions and Procedure of Occupying the Academic Positions of Assistant and Chief Assistant (Title amend. – SG 101/10)

Art. 17. (amend. – SG 101/10, suppl. - SG 30/18, in force from 04.05.2018) The higher school or scientific organizations shall appoint persons at the position Assistant at temporary employment contract under the terms and procedure of the Labour Code.

Art. 18. (1) (amend. – SG 101/10, amend. - SG 30/18, in force from 04.05.2018, suppl. - SG 56/22) The academic position Chief Assistant shall be held only by a person who meets the minimum national requirements under Art. 2b, Para. 2 and 3, respectively the requirements under Art. 2b, Para. 5, and holds the educational and scientific degree of Doctor, which for the specialties of the regulated professions corresponds to the announced competition, as for specialties from the regulated professions in the professional field "Health care", the academic position can also be held by a person holding an educational and scientific degree "doctor" in a specialty from the regulated professions in the professional fields "Medicine", "Dental Medicine", "Pharmacy" " or "Public Health".

(2) (Announced as anti-constitutional by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10) In the medical universities or faculties and university hospitals, in the higher school of arts and sports or faculties, in the military higher schools, as well as in the higher schools of the Ministry of Interior, the position Chief Assistant may be occupied by persons without awarded scientific degree of Doctor, where this has been provided by the rules of procedure of the relevant higher school.

(3) the academic position Chief Assistant shall be occupied on the basis of a competition and election.

Art. 19. The applicants to participate in the competition shall submit an application for admission and the following documents:

1. Curriculum Vitae;
2. diploma for Doctor's educational and scientific degree
3. medical certificate;
4. certificate for no previous conviction;
5. certificate for job experience in the relevant field, if available;
6. (amend. - SG 30/18, in force from 04.05.2018) list of publications, inventions and other

scientific-applicable results;

7. (new - SG 30/18, in force from 04.05.2018) reference for fulfillment of the minimum national requirements under Art. 2b, Para. 2 and 3, respectively the requirements under Art. 2b, Para. 5, which shall be accompanied by the necessary evidence specified in this act, in the regulations for its implementation and in the regulations of the higher schools or scientific organizations.

Art. 20. (1) (amend. – SG 101/10) The competition shall be held by a five-member scientific panel. Minimum two of the panel members shall be external persons for the relevant higher school or scientific organizations.

(2) The panel shall be selected not later than 2 months after the announcement in the State Gazette.

Art. 21. (1) (Suppl. - SG 30/18, in force from 04.05.2018) For participation o the competition shall be admitted the applicants, who meet the legal requirements, including the minimum national requirements under Art. 2b, Para. 2 and 3, and those of the higher school or scientific organization under Art. 2b, Para. 5.

(2) (amend. and suppl. – SG 101/10) All the applicants shall be notified in writing about the result of the procedure of admittance within 14 days after the panel nomination, whereby the non-admitted applicants shall be informed of the reasons for the refusal.

(3) (Amend. - SG 30/18, in force from 04.05.2018, amend. - SG 56/22) The competition is held no later than one month from the sending of the message under para. 2. At the closing meeting, the candidates present a presentation on a topic or topics from a questionnaire prepared for the announced competition and provided to them in advance. At the discretion of the academic jury, the candidates' presentation may also include a written exposition or other exposition or presentation specified in the regulations of the higher school or the scientific organization.

Art. 22. (1) (Suppl. - SG 30/18, in force from 04.05.2018, suppl. - SG 56/22) Each member of the panel shall evaluate the candidates individually on the basis of fulfilled minimum national requirements under Art. 2b, Para. 2 and 3 and of the requirements of the higher school or scientific organization under Art. 2b, Para. 5. In the cases under Art. 4, Para. 11, the members of the scientific panel must give their opinion on the presence or absence of plagiarism or unreliability of the presented scientific data in the publications submitted for evaluation, whereby the scientific panel shall take a decision adopted by the order of Art. 10, Para. 4, sentence one. The decision of the scientific panel can be challenged before the faculty council or the scientific council.

(2) (Suppl. - SG 30/18, in force from 04.05.2018) The chairperosn of the panel shall present a summary report-conclusion including the decision under Para. 1 for the results of the competition, no later than 7 days after its completion, to the faculty council, respectively the scientific council of the higher school or the scientific organization, with the proposal that a selection be made.

(3) In case of more than one candidate who has successfully passed the competition, the panel shall make a motivated proposal for selection in its report to the relevant board.

Art. 23. (1) (Suppl. - SG 30/18, in force from 04.05.2018) The faculty, respectively – scientific panel, shall hold the election not later than 14 days after the panel proposal. The order and way of

voting for the selection shall be determined in the regulations of the respective higher school or scientific organization. In higher schools, only habilitated members of the faculty council shall participate in the voting, as well as the persons holding educational and scientific degree "Doctor" and / or the scientific degree "Doctor of Sciences", and in the scientific organizations - the members of the scientific council respectively.

(2) (suppl. – SG 101/10) The applicants, who have participated in the competition shall be informed in writing about the result of the competition and election within 14 days after the session of the faculty panel, of the scientific panel respectively.

(3) (new – SG 101/10) The elected applicants shall be appointed by the head of the higher school or the scientific organization within one month after the notification of their selection.

Section III.

Terms and Conditions and Procedure of Occupying the Academic Position of Reader (Title amend. – SG 101/10)

Art. 24. (1) (amend. – SG 101/10) The applicants to occupy the academic position of Reader must meet the following conditions:

1. (suppl. - SG 30/18, in force from 04.05.2018, suppl. - SG 56/22) to have been awarded the educational and scientific degree of Doctor which for the specialties of the regulated professions must be from the same field, as for specialties from the regulated professions in the professional field "Health care", the academic position can also be held by a person holding an educational and scientific degree "doctor" in a specialty from the regulated professions in the professional fields "Medicine", "Dental medicine", "Pharmacy" " or "Public Health";

2. for minimum two years:

- a) to have occupied the academic position of Assistant, Chief Assistant, or
- b) to have been lecturers, including part-time, or members of a research and development team in the same or in another higher school or scientific organization, or
- c) to have practiced artistic and creative activity, or
- d) to have been practicing specialists and to have got proven achievements in their field;

3. to have presented a published monograph or equivalent publications in specialized scientific issued or evidences of equivalent to them artistic and creative achievements in the field of arts, which do not reproduce those presented for awarding the educational and scientific degree of Doctor and for awarding of the scientific degree of Doctor of Science.

4. (new - SG 30/18, in force from 04.05.2018) to meet the minimum national requirements under Art. 2b, Para. 2 and 3, respectively the requirements under Art. 2b, Para. 5;

5. (new - SG 30/18, in force from 04.05.2018, suppl. - SG 56/22) to have no plagiarism or unreliability of the presented scientific data proven as per the legally established order in the scientific works.

(2) The academic position of Reader shall be occupied on the basis of a competition and election.

(3) A competition for occupying the academic position of Reader shall be opened, if it is possible the relevant teaching and research load to be provided, according to the relevant rules of procedure of the higher school or scientific organization.

Art. 25. (amend. and suppl. – SG 101/10) The competition shall be held by a scientific panel of seven members. At least 3 of the panel members shall be external persons for the relevant higher school or scientific organization and at least 3 shall be professors.

Art. 26. (1) (Announced as anti-constitutional by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10, new - SG 30/18, in force from 04.05.2018) Candidates shall submit a reference on the fulfillment of the minimum national requirements under Art. 2b, Para. 2 and 3, respectively the requirements under Art. 2b, Para. 5 as well as a reference to the original scientific contributions, to which shall be attached the relevant evidence set out in this Act, its implementing regulations and the regulations of the higher schools and of the scientific organizations.

(2) (New - SG 30/18, in force from 04.05.2018) Admitted to be assessed shall be the persons who meet the conditions of Art. 24, Para. 1, including the minimum national requirements under Art. 2b, Para. 2 and 3, respectively the requirements under Art. 2b, Para 5.

(3) (Previous Para. 2, amend. - SG 30/18, in force from 04.05.2018) Within 14 days after the expiry of the term for submission of documents, the scientific panel shall decide on the admission of the candidates to be assessed, and shall determine two reviewers for the admitted candidates, of which at least one occupies the academic position of Professor. The other members of the panel shall prepare opinions. Reviews and opinions shall end with a positive or negative assessment for selection.

(4) (New - SG 30/18, in force from 04.05.2018, suppl. - SG 56/22) In the cases under Art. 4, Para. 11, the members of the scientific panel must give an opinion on the presence or absence of plagiarism or unreliability of the presented scientific data in the publications submitted for evaluation, where the scientific panel shall take a decision adopted by a simple majority no later than at the expiry of the term under Art. 27, Para. 1.

(5) (New - SG 30/18, in force from 04.05.2018) The decision of the scientific panel under Para. 4 may be challenged before the faculty council, respectively the scientific council.

Art. 27. (1) (announced as anti-constitutional regarding the expression "and in English" by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10; amend. – SG 101/10, suppl. - SG 30/18, in force from 04.05.2018) Within the term of 1 month before the final meeting of the scientific panel, the internet site of the relevant higher school or scientific organization shall have published the drawn by the participants in the procedure summaries of their works after defending Doctor's dissertation, as well as the reviews and opinions of the panel members, including the decision under Art. 26, Para. 4. The materials shall be published pursuant to Art. 4, Para. 13.

(2) The scientific panel shall hold the competition within 6 months after the announcement in the State Gazette.

(3) (amend. – SG 101/10, amend. and suppl. - SG 30/18, in force from 04.05.2018) The scientific panel shall assess the applicants to occupy the academic position of Reader in accordance with the results from the references under Art. 26, Para. 1. At the beginning of the final meeting, the candidates shall make a short presentation on a topic chosen by them, corresponding to the announced competition, and shall respond to the comments given in the reviews and opinions, and to the questions posed to them by the members of the scientific panel.

(4) (new – SG 101/10, amend. - SG 30/18, in force from 04.05.2018) Where all other conditions under Art. 26, para. 1 are equal, the scientific panel shall take into consideration also the total score, obtained from the assessment of those of the following additional parameters, which are applicable in the respective field:

1. related to the educational activity:

a) (amend. - SG 30/18, in force from 04.05.2018) auditorium and out-of-auditorium classes; innovations in teaching methods, provision of classes in a practical environment out of the higher school or scientific organization;

b) (repealed - SG 30/18, in force from 04.05.2018)

c) tutoring of students and post-graduate students, including co-operation with students and post-graduate students in research and development and artistic and creative projects;

2. related to research and development:

a) (amend. - SG 30/18, in force from 04.05.2018) membership in a well-known creative and/or professional organization in the respective scientific field;

b) (repealed - SG 30/18, in force from 04.05.2018)

c) (amend. - SG 30/18, in force from 04.05.2018) applied in the practice results of scientific studies; inventions and other intellectual property products;

d) (repealed - SG 30/18, in force from 04.05.2018)

3. (suppl. - SG 30/18, in force from 04.05.2018) related to the artistic creative or sports activity:

a) (amend. - SG 30/18, in force from 04.05.2018) participation in project; membership in a creative or sporting organization;

b) (suppl. - SG 30/18, in force from 04.05.2018) production of pieces of art or achieving sports results, internationally recognized.

(5) (prev. par. 4, amend. – SG 101/10) For the scientific specialties in the field of arts, the artistic and creative activity may be assessed instead of research and development activity.

Art. 27a. (new – SG 101/10) (1) The panel shall classify the applicants by an open voting and shall propose them for election by the faculty/scientific panel . The proposal to the board shall be drawn up by the chairperson of the scientific panel and shall be signed by all the members within 7-day term.

(2) (Suppl. - SG 30/18, in force from 04.05.2018) The faculty council, respectively the scientific council, shall decide on the election of "Associate Professor" at the proposal of the scientific panel. The election, including the method of voting, shall be carried out under conditions and by an order determined by the regulations of the higher school or scientific organization, where the election shall be made not later than one month after receipt of the proposal. In higher schools, in the voting shall only participate habilitated members of the faculty council, and the persons holding the educational and scientific degree "Doctor" and / or the scientific degree "Doctor of Sciences", and in the scientific organizations - the members of the scientific council, respectively.

(3) (New - SG 30/18, in force from 04.05.2018) The faculty council, respectively the scientific council, may, by a reasoned decision, reject the proposal made by the scientific panel on the basis of the speeches made.

Art. 28. The elected Reader shall give a public academic lecture before the academic community in the relevant higher school or scientific organization.

Section IV.

Terms and Conditions and Procedure of Occupying the Academic Position of Professor (Title amend. – SG 101/10)

Art. 29. (amend. – SG 101/10) (1) Applicants to occupy the academic position of Professor must meet the following conditions:

1. (suppl. - SG 30/18, in force from 04.05.2018, suppl. - SG 56/22) to have acquired the educational and scientific degree of Doctor, which for the specialities of the regulated professions must be of the same speciality as for specialties from the regulated professions in the professional field "Health care", the academic position can also be held by a person holding an educational and scientific degree "doctor" in a specialty from the regulated professions in the professional fields "Medicine", "Dental medicine", "Pharmacy" " or "Public Health";

2. to have occupied the academic position of Reader in the same or in another higher school or scientific organization for not less than two academic years or for minimum five years:

a) to have been lecturers, including part-time, or members of a research and development team in the same or in another higher school or scientific organization, or

b) to have practiced artistic and creative activity, or

c) to have been practicing specialists and to have got proven achievements in their field;

3. to have presented a published monograph or equivalent publications in specialized scientific issued or evidences of equivalent to them artistic and creative achievements in the field of arts, which do not reproduce those presented for awarding the educational and scientific degree of Doctor and for awarding of the scientific degree of Doctor of Science and for occupying the academic position of Reader;

4. to have presented other original scientific-research works, publications, inventions, and other scientific and scientific-applicable works or artistic creative achievements, to be assessed together.

5. (new - SG 30/18, in force from 04.05.2018) to meet the minimum national requirements under Art. 2b, Para. 2 and 3, respectively the requirements under Art. 2b, Para. 5;

6. (new - SG 30/18, in force from 04.05.2018, suppl. - SG 56/22) to have no plagiarism or unreliability of the presented scientific data proven as per the legally established order in the scientific works.

(2) If the applicants have not occupied the academic position of Reader, they must present one more published monogram work or equivalent publications in specialized scientific issues or equivalent to them evidences of artistic creative achievements in the field of arts, which do not reproduce those presented for awarding of educational and scientific degree of Doctor or the scientific degree of Doctor of Science.

(3) (New - SG 30/18, in force from 04.05.2018) The candidates shall submit a reference on the fulfillment of the minimum national requirements under Art. 2b, Para. 2 and 3, respectively the requirements under Art. 2b, Para. 5, and a reference of the original scientific contributions to which shall be attached the relevant evidence laid down in this Act, in the Regulations for its implementation and the regulations of the higher schools and of the scientific organizations.

(4) (Previous Para. 3 - SG 30/18, in force from 04.05.2018) The academic position of Professor shall be occupied on the basis of a competition and election.

(5) (Previous Para. 4 - SG 30/18, in force from 04.05.2018) A competition for occupying the academic position of Professor shall be opened, if it is possible the relevant teaching and research load to be provided, according to the relevant rules of procedure of the higher school or scientific organization.

Art. 29a. (1) (New – SG 101/10, previous text of Art. 29a - SG 30/18, in force from 04.05.2018) The scientific panel shall be of 7 members – at least 4 of them shall be professors and at least 3 of them shall be external persons. Three reviews and 4 opinions shall be drawn up.

(2) (New - SG 30/18, in force from 04.05.2018) In the cases under Art. 4, Para. 11, the provisions of Art. 26, Para. 4 and 5 shall apply.

Art. 29b. (new – SG 101/10) (1) (New - SG 30/18, in force from 04.05.2018) Admitted to assessment shall be the persons who meet the conditions of Art. 29, Para. 1 and 2, including the minimum national requirements under Art. 2b, Para. 2 and 3, and the requirements under Art. 2b, Para. 5, respectively.

(2) (Previous Para. 1, amend. - SG 30/18, in force from 04.05.2018) The scientific panel shall assess the candidates for academic appointment as "Professor" in accordance with the achievements fulfilled, referred to in Art. 29, Para. 3.

(3) (Previous Para. 2, amend. - SG 30/18, in force from 04.05.2018) Where all other conditions under Art. 29, Para. 3 are equal, the scientific panel shall take into consideration also the total score, obtained from the assessment of those of the following additional parameters, which are applicable in the respective field:

1. related to the educational activity:

a) (amend. - SG 30/18, in force from 04.05.2018) auditorium and out-of-auditorium classes – sharing of teaching and course lecturing experience and supervision and consulting of colleagues; provision of classes in a practical environment out of the higher school or scientific organization; teaching of the major course in a foreign language;

b) (repealed - SG 30/18, in force from 04.05.2018)

c) tutoring of students and post-graduate students, including managing post-graduate students, appointed at teaching positions in a higher school or scientific organization;

2. related to research and development:

a) (amend. - SG 30/18, in force from 04.05.2018) management of research and development projects; setting up a scientific group of lecturers; membership in a well-known creative and/or professional organization in the respective scientific field; well-respected references; generation of new scientific trends; creation of scientific school; delivering of lectures in foreign universities;

b) applied in the practice results of scientific studies; inventions and innovations;

c) (repealed - SG 30/18, in force from 04.05.2018)

3. (suppl. - SG 30/18, in force from 04.05.2018) related to the artistic creative or sports activity:

a) (suppl. - SG 30/18, in force from 04.05.2018) membership in a creative organization; generated creative school; delivering of lectures in foreign universities; artistic creative or sports performances; including creative or sports performances at internationally recognized forums;

b) production of pieces of art internationally recognized.

(4) (Previous Para. 3 - SG 30/18, in force from 04.05.2018) For the scientific specialties in the field of arts, the research and development activity may be replaced by artistic and creative activity.

Art. 29c. (1) (New - SG 30/18, in force from 04.05.2018) The faculty council, respectively the scientific council, may rule on procedures to hold the academic position of Professor only if at least one

third of the members of the council with voting rights is made up of persons holding the academic position of Professor, or holding the scientific degree "Doctor of Science".

(2) (New - SG 30/18, in force from 04.05.2018, revoked - SG 17/20)

(3) (New - SG 30/18, in force from 04.05.2018) In case of impossibility to fulfill the condition under Para. 1, in order to take part in the specific procedure for the academic appointment of Professor, external members may also be invited who meet the requirements of Para. 1.

(4) (New - SG 101/10, previous text of Art. 29c - SG 30/18, in force from 04.05.2018) For the outstanding issues concerning the procedure to hold the academic appointment "Professor" the provisions of Section III shall apply respectively.

Chapter four. CONTROL

Art. 30. (1) (announced as anti-constitutional by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10; amend. – SG 101/10; amend. – SG 68/13, in force from 02.08.2013, suppl. - SG 30/18, in force from 04.05.2018) The Minister of Education and Science shall exercise control over the open procedures, and those not finished, for the acquisition of scientific degrees, as well as for holding academic positions, with respect to their compliance with the requirements of this Act, its implementing regulations and the regulations of the higher schools, respectively of the scientific organizations.

(2) (Amend. - SG 101/10, amend. - SG 30/18, in force from 04.05.2018) Control shall be carried out by means of inspections by own initiative, or alerted by interested persons, and shall cover:

1. violations of the procedures held;
2. conflict of interests during the forming of the scientific panels' membership base pursuant to this Act;
3. plagiarism in dissertation papers and publications submitted for assessment;
4. lack of credibility of the scientific data submitted.

(3) (Amend. - SG 30/18, in force from 04.05.2018) Alerts under Para. 2 must contain the name, address and signature of the sender, a description of the violations, and an indication of the evidence supporting it. The deadline for submitting the alert shall be until the appropriate procedure has been completed.

(4) (Amend. - SG 68/13, in force from 02.08.2013, amend. - SG 30/18, in force from 04.05.2018) Within three days from receiving the alert referred to in Para. 2, the Minister of Education and Science shall issue an inspection order which is to include:

1. verification of admissibility of the alert in accordance with the requirements of Para. 2 and 3;
2. checking the alert on its merits with regard to compliance with the requirements of this Act, its implementing regulations and the regulations of the higher schools and scientific organizations, including for plagiarism in the dissertation and/or publications presented in the respective procedure, lack of credibility of the submitted scientific data and/or conflicts of interest in forming the scientific panels' membership base pursuant to this Act.

(5) (New - SG 30/18, in force from 04.05.2018) The inspection under Para. 4, item 1 shall be carried out by a commission, which must include a qualified lawyer and an expert responsible for the activities of higher education institutions and scientific organizations. Within 7 days of the appointment of the commission, the latter shall issue a reasoned opinion on the admissibility of the alert.

(6) (New - SG 30/18, in force from 04.05.2018) Where the commission under Para. 5

expressed the opinion that the alert is admissible, the Minister of Education and Science shall, within three days from the receipt of the opinion, assign to the Academic Ethics Committee to carry out the inspection under Para. 4, item 2.

(7) (New - SG 30/18, in force from 04.05.2018) In the cases under Para. 2, items 1 and 2, the inspection shall be carried out by the Academic Ethics Committee with an order determined by the regulations for the implementation of the act.

(8) (New - SG 30/18, in force from 04.05.2018, amend. - SG 56/22) In the cases under Para. 2, item 3 and 4, within 14 days the Academic Ethics Committee shall determine for the particular procedure not less than three arbitrators who are persons of academic rank from the register under Art. 2a, who:

1. (amend. - SG 56/22) are habilitated in Bulgarian higher schools or scientific organizations, with results in the relevant specialty and/or professional direction for the announced competition or dissertation topic, and if this is not possible - in the relevant scientific field and/or scientists from foreign higher schools or scientific organizations with results in the relevant specialty and/or professional direction, and/or scientific field;

2. have not participated in the relevant procedure in another capacity;

3. have no conflict of interest with the person mentioned in the alert under Para. 2;

4. have no conflict of interest with a person who has filed the alert under Para. 2.

(9) (New - SG 30/18, in force from 04.05.2018) The Academic Ethics Committee shall pronounce within 30 days with a report to the Minister of Education and Science on the presence or absence of violations under Para. 2, items 1 - 4. The report for violations under Para. 2, items 3 and 4 shall be drawn up on the basis of the opinions of each of the arbitrators.

(10) (New - SG 30/18, in force from 04.05.2018) In cases of necessity, the Minister of Education and Science may, by an order, extend the term under Para. 9, but for no more than 30 days.

(11) (New - SG 30/18, in force from 04.05.2018) Before ruling in the cases under Para. 2, items 2, 3 and 4, the Academic Ethics Committee shall allow the candidate who has submitted the assessed work subject to the inspection, respectively the person mentioned in the alert as having a conflict of interest, to express their opinion.

(12) (Previous Para. 5, amend. and suppl. - SG 30/18, in force from 04.05.2018, amend. - SG 56/22) The members of the Academic Ethics Committee shall discuss the evidence attached to the alert under Para. 2, as well as all the evidence presented by the persons under Para. 11. The inspection shall end with the report under Para. 9, which must also contain findings on the regularity of each individual stage of the procedure.

Art. 30a. (New - SG 30/18, in force from 04.05.2018) (1) An Academic Ethics Committee shall be established at the Minister of Education and Science to examine the alerts made to him concerning violations in the conducted procedures for awarding academic degrees or academic positions, as well as signals for plagiarism in the dissertation papers and the papers submitted for assessment, the lack of credence of the presented scientific data, the conflict of interest in the forming of the scientific panels' membership pursuant to this act.

(2) The Academic Ethics Committee shall carry out its activities in accordance with this Act and by a regulation issued by the Minister of Education and Science.

(3) The Academic Ethics Committee shall consist of five members, one of whom is a qualified lawyer. The chairperson and three members shall be representatives of the four scientific areas proposed by higher education institutions, scientific organizations, non-governmental organizations of scientists and social partners. They shall be habilitated persons, included in the register under Art. 2a, holding an

educational and scientific degree "Doctor", and having at least 10 years' experience in the specialty.

(4) The position of Chairperson and of member of the Academic Ethics Committee shall be incompatible with occupying the positions of Rector, Deputy Rector, Dean and / or Director of a Higher School Affiliate, respectively Chairperson, Deputy Chairperson and Director of the Institute of the Bulgarian Academy of Sciences and the Agricultural Academy.

(5) The Chairperson, or a member of the Academic Ethics Committee, shall be relieved of their duties:

1. upon receipt of his / her written application;
2. in case of systematic non-performance of the obligations;
3. in case of a real inability to perform the post which has lasted more than 6 months;
4. in case of incompatibility with the positions and the requirements of Para. 4;
5. upon entry into force of an act which establishes a conflict of interest;
6. by decision of the Minister of Education and Science.

(6) The decision to dismiss a Chairperson or a member of the Academic Ethics Committee shall be taken by the Minister of Education and Science.

Art. 31. (1) (amend. – SG 68/13, in force from 02.08.2013, suppl. - SG 30/18, in force from 04.05.2018) The Minister of Education and Science may request information and documents from the higher schools or scientific organizations in connection with the procedures being controlled, within three days from the expiration of the term under Art. 30, Para. 6.

(2) (Amend. - SG 68/13, in force from 02.08.2013, amend. - SG 30/18, in force from 04.05.2018) In case of established violation, the Minister of Education and Science has the right to suspend the defense of the dissertation, respectively the competition or the election of a Chief Assistant, Associate Professor and Professor. The suspension order shall set a time limit for the removal of the violation, and is to be communicated to the higher school or scientific organization.

(3) The suspension shall be a single occurrence and for a period of up to one month.

(4) The higher school or the scientific organization shall be obliged to eliminate the violations ascertained, and to provide evidence thereof within the term under Para. 2.

(5) (Amend. - SG 68/13, in force from 02.08.2013, amend. - SG 30/18, in force from 04.05.2018) The procedures for the acquiring of scientific degree and academic appointment shall be resumed by an order of the Minister of Education and Science, if the violations have been corrected.

(6) (Amend. - SG 101/10, amend. - SG 30/18, in force from 04.05.2018) Where the conditions under Para. 4 are present and the Minister does not issue an order for resumption after the expiration of the one-month period of suspension, the procedure may be resumed by the Rector of the higher school, respectively by the Head of the scientific organization.

(7) (New - SG 30/18, in force from 04.05.2018) In cases of established violations by the Academic Ethics Committee and where violations under Art. 30, Para. 2, items 1 and 2 have not been removed, in the event of failure to submit relevant evidence within the term under Para. 4, as well as in the presence of plagiarism in the dissertation papers and the publications submitted for assessment, or lack of credence of the submitted scientific data, the Minister of Education and Science shall issue an order for the termination of the respective procedure.

(8) (New - SG 30/18, in force from 04.05.2018) For systematic violations in conducting the procedures for acquiring academic degrees and for taking up academic positions, as well as in case of non-fulfillment of the orders under para. 2, in order to remedy the established violations of the conducted procedures, the Minister of Education and Science shall propose to withdraw the program accreditation of the respective doctoral programs of the higher school or the scientific organization.

Art. 32. (amend. – SG 101/10) (1) (New - SG 30/18, in force from 04.05.2018, amend. - SG 56/22) The acts of the governing bodies of the higher school, respectively of the scientific organization, for the academic appointments and the acts for awarding scientific degrees, may be contested by an administrative order before the Minister of Education and Science for violations under Art. 30, Para. 2, items 1-4.

(2) (New - SG 30/18, in force from 04.05.2018) Proceedings before the Minister of Education and Science shall be initiated following a complaint by the interested person, filed through the higher school or the scientific organization within 14 days from the notification of the adopted acts under Para. 1.

(3) (New - SG 30/18, in force from 04.05.2018) The Rector of the higher school, respectively the Head of the scientific organization, may himself revoke the contested act under Para. 1, after receiving an opinion from the faculty council, respectively the scientific council. The opinion shall be adopted by an order determined in the regulations of the higher schools, respectively of the scientific organizations.

(4) (New - SG 30/18, in force from 04.05.2018) In the event that the Rector, respectively the Head of the scientific organization, does not revoke the contested act under Para. 1, he shall forward the complaint and all the documentation with his opinion to the Minister of Education and Science within 14 days of receipt of the complaint.

(5) (New - SG 30/18, in force from 04.05.2018) Within one month from the receipt of the documents under Para. 4 the Minister of Education and Science shall organize an inspection under Art. 30, Para. 4 - 12.

(6) (New - SG 30/18, in force from 04.05.2018) Within the term under Art. 30, Para. 9, the Academic Ethics Committee shall adopt a motivated report which is to be sent to the Minister of Education and Science. In its report, the Committee shall propose to:

1. confirm the contested act of the higher school or scientific organization, or
2. set aside the contested act and have it sent for consideration in a new procedure by another panel of the scientific panel.

(7) (New - SG 30/18, in force from 04.05.2018) The Minister of Education and Science shall issue an order in accordance with the proposal in the report under Para. 6, which is to confirm or repeal the administratively contested act of the higher school or the scientific organization for occupying academic positions or for acquiring the educational and scientific degree "Doctor", or scientific degree "Doctor of Sciences".

(8) (Previous Para. 1, amend. - SG 30/18, in force from 04.05.2018) All acts of the bodies of the higher school, of the scientific organization for the acquisition of a scientific degree or of the holding of academic positions under this Act, as well as the orders of the Minister of Education and Science issued in connection with the exercise of his powers under Chapter Four, may be appealed to the court under the terms and procedure of the Administrative Procedure Code.

(9) (Previous Para. 2, amend. - SG 30/18, in force from 04.05.2018) Appeal of the acts under Para. 8 shall not stop their execution.

(10) (New - SG 30/18, in force from 04.05.2018) In the presence of some of the grounds under Art. 99 of the Administrative Procedure Code related to violations under Art. 30, Para. 2, items 1 to 4 for enacted acts for acquisition of academic degrees and for taking of academic positions pursuant to this Act, the proceedings for the respective procedures may be resumed under the order of Chapter Seven of the Administrative Procedure Code, whereby the inspection is to be carried out by the Academic Ethics Committee pursuant to Art. 30, Para. 5 - 12. The alerts shall be submitted after the

interested parties have gained knowledge of the performed violations under Art. 30, Para. 2, items 1-4.

Art. 33. (revoked – SG 101/10, new - SG 30/18, in force from 04.05.2018) Should there be any conflict of interest established while forming the scientific panels under this Act, the respective persons shall not have the right to participate as members in any scientific panel for a period of three years counting from the date of entry into force of the act establishing the conflict of interest.

Art. 34. (revoked – SG 101/10)

Art. 35. (1) A person shall be dismissed from academic position:

1. (amend. - SG 30/18, in force from 04.05.2018) when through the statutory order plagiarism or lack of credibility in the scientific data submitted in the scientific papers is proven, on the basis of which that person has acquired or participated in a procedure for obtaining a scientific degree, or has taken up or participated in a competition for an academic position;

2. (announced as anti-constitutional by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10; new – SG 101/10) when in his/her capacity of a member of the panel or of a faculty/scientific panel he/she has given an opinion resulting from a committed crime, established with an enforced verdict.

3. who has received a negative assessment in two successive attestations.

(2) (Amend. - SG 30/18, in force from 04.05.2018) In the cases under Para. 1, item 1, the scientific degree acquired under the order of this act, with which the violation is related, shall also be withdrawn.

(3) (Amend. - SG 30/18, in force from 04.05.2018) Withdrawal of a scientific degree and dismissal from an academic position shall be done by the Rector of the higher school, under the order of the Higher Education Act and the regulations of the higher school, and by the Head of the scientific organization respectively, under the order determined in the rules of the respective organization.

(4) (Announced as anti-constitutional – second sentence by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10; revoked – SG 101/10, amend. - SG 56/22) In the cases under para. 1, item 1 and para. 2 the rector of the higher school or the head of the scientific organization is obliged to terminate the employment relationship for the held academic position and withdraw the acquired scientific degree within one month of being notified of the act of establishing plagiarism or unreliability of the presented scientific data in the scientific works.

(5) (Revoked – SG 101/10, amend. - SG 56/22) In the cases under para. 1, item 1, if the person does not hold an academic position, the acquired scientific degree is revoked by the rector of the higher school or by the head of the scientific organization that awarded it.

Art. 36. (Amend. - SG 30/18, in force from 04.05.2018) Upon dismissal from an academic position under Art. 35, Para. 1, items 1 and 2, and upon withdrawal of a scientific degree under Art. 35, Para. 2, all personal rights of the individual arising from the scientific degree and the academic position shall be deemed to have been revoked.

Additional provisions

§ 1. In the meaning of this act:

1. "higher schools and scientific organizations" shall include all higher schools, the Bulgarian Academy of Sciences, the Agriculture Academy, scientific organizations, university hospitals, institutes, etc, which have received accreditation by NAAA;

2. "Doctors programme" shall be accredited programme of a higher school or scientific organization in the area of the higher education for conducting education of post graduate students.

2a. (new - SG 30/18, in force from 04.05.2018) "conflict of interest" shall exist where any member of a panel, or persons related to him, has private interest which may affect the impartial and objective performance of his powers or duties in connection with his participation in the relevant procedure;

3. (new - SG 101/10) "private interest" shall be any interest which results in a material or non-material benefit for a member of a panel, or for persons related to him, including any assumed obligation;

4. (new - SG 101/10) "benefit" shall mean any income in money or in property, including the acquisition of shares or stocks, as well as granting, transferring or denying rights, obtaining privilege or honours, receiving goods or services for free or at prices which are lower than market ones, receiving aid, vote, support or influence, advantage, receiving or being promised a job, or position (including academic appointment), gifts, rewards, or promise to avoid loss, liability, sanction or other unfavorable event;

5. (new - SG 101/10) "related persons" shall be the spouses or the persons who are in actual cohabitation together, the relatives in direct line, in collateral line - up to the second degree inclusive, and the relatives by marriage - to the second degree inclusive, as well as physical and legal persons, with whom the person is in economic or political dependence, which give rise to reasonable doubts about his impartiality and objectivity;

6. (new - SG 101/10) "a primary unit" shall be a department in a faculty of a higher school, or its corresponding structure in a scientific organization;

7. (new - SG 30/18, in force from 04.05.2018) "plagiarism" shall be the presentation of works as one's own, entirely or partially written or created by someone else, or the use of scientific results published by someone else, without citation or quote during the procedures for acquiring academic degrees or for taking up academic positions;

8. (new - SG 30/18, in force from 04.05.2018) "unified state requirements" shall be the rules for carrying out the procedures under this Act, the procedure for control over them and the minimum national requirements in professional directions for acquiring academic degrees and holding academic positions defined in this act and in the rules for its implementation;

9. (new - SG 30/18, in force from 04.05.2018) "referenced and indexed publications" shall be publications, in which the articles are published after anonymous review and are part of the international research area, referenced and indexed in world-renowned databases of scientific information;

10. (new - SG 30/18, in force from 04.05.2018) "a monograph" shall be a scientific publication which contains a complete and comprehensive study of a particular subject, problem or person, written by one or several authors who stick to the same view. The monograph is a scientific work which does not duplicate or summarize the existing knowledge and has its scientific editor and/or scientific reviewers, has an ISBN and has a volume of not less than 100 standard pages with 1 800 characters per

page. It shall contain extensive content, a comprehensive bibliography, with references to other scientific works in its text;

11. (new - SG 30/18, in force from 04.05.2018) "a chapter from a book" shall be a separate subdivision of the main text of a scientific work which has a scientific editor and/or scientific reviewers; it addresses a separate problem or issue from the main topic that is defined in the title or numbered, and is published in a non-periodical scientific publication that has an ISSN or an ISBN, respectively. It may be from one or more authors;

12. (new - SG 30/18, in force from 04.05.2018) "a paper" shall be a scientific study published in a magazine, collection or independently, which deals with certain aspects of problems and issues, which has its scientific editor and/or scientific reviewers, has ISSN or ISBN respectively, and its volume is between 20 to 99 standard pages with 1 800 characters per page;

13. (new - SG 30/18, in force from 04.05.2018) "a survey" shall be a scientific study published in a journal, a collection or independently, in which a critical review is done of the literature published on a certain scientific problem, has ISSN or ISBN, respectively, and has a volume of 10 to 99 standard pages with 1 800 characters per page;

14. (new - SG 30/2018, in force from 04.05.2018) "an article" shall be a published scientific work corresponding to the requirements under item 12, which contains a description of original scientific research and its volume is of up to 20 standard pages with 1 800 characters per page;

15. (new - SG 30/18, in force from 04.05.2018) "a citation" shall mean referencing a scientific publication of the author in another scientific publication or a patent. Referencing one publication, regardless of how many times in the text it is done, shall be considered as one citation;

16. (new - SG 30/18, in force from 04.05.2018) "self-citing" shall be a citation where the publication being quoted and the publication quoting it have at least one common author;

17. (new - SG 30/18, in force from 04.05.2018) "lack of credibility of the presented scientific data" shall mean the intentional use of false and/or manipulated source data in the creation of scientific work;

18. (new - SG 30/18, in force from 04.05.2018) "habilitated persons" shall be:

a) the persons who hold or have held the academic positions "Associate Professor" or "Professor", with the exception of the persons under Art. 36;

b) the persons having acquired the scientific title "Associate Professor" respectively "Senior Research Fellow II degree" or "Professor", respectively "Senior Research Fellow I degree", within the meaning of the revoked Law of the Academic Degrees and Academic Ranks;

19. (new - SG 30/18, in force from 04.05.2018) "faculty council" shall be the body under Art. 26, Para. 2 of the Higher Education Act;

20. (new - SG 30/18, in force from 04.05.2018) "scientific council" shall be the body composed of habilitated persons and appointed in the Statutes of the scientific organizations or of the higher schools;

21. (new - SG 30/18, in force from 04.05.2018) "interested person" shall mean any person who has acquired a scientific degree in the relevant professional field, or who is a habilitated person under item 18.

§ 2. (Announced as anti-constitutional by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10) The relevant rules of procedure if the higher school or scientific organization may envisage a greater odd number of panels of the scientific panel, while observing the legal correlation.

§ 2a. (New - SG 30/18, in force from 04.05.2018) In the indicators under Art. 2b, Para. 2, publications and quotes may be included in scientifically reviewed publications that are not referenced and indexed, with articles and quotes referenced in articles and quotes in referenced and indexed editions using corresponding numerical values of compliance.

§ 2b. (New - SG 30/18, in force from 04.05.2018) In implementing Art. 24, Para. 1, item 3 in individual professional fields, according to their specificity, only monographic work may be allowed without its leveling to equivalent publications in specialized scientific publications.

§ 3. (Announced as anti-constitutional by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10) (1) Independent colleges shall not be able to conduct procedures for occupying academic positions.

(2) The procedures for occupying academic positions under Para. 1 shall be conducted by a higher school or scientific organization, which conduct education in the same area of the higher school, on the basis of a signed contract with the relevant independent college.

§ 3a. (New - SG 30/18, in force from 04.05.2018) The decisions related to the conduct of procedures for holding academic positions under this Act, in the branches and main units of the higher schools, with the exception of faculties, shall be adopted by the academic council of the respective higher education institution.

§ 3b. (New - SG 21/21) Academic positions under this Act may be opened in the scientific groups at the museums under Art. 28, para. 4 of the Cultural Heritage Act.

(2) The procedures for holding academic positions under para. 1 shall be conducted under the conditions and by the order of this Act by the Bulgarian Academy of Sciences as the respective academic position is held under employment legal relation in the scientific group at the respective museum.

§ 4. (1) all the announcements in an internet site under this act shall contain a date of publication. The date must coincide with the date of publication in the State Gazette. When the information is published only on the internet site, for the relevance of the contents and date, a protocol shall be drawn up, signed by the chairperson of the scientific panel, or the faculty of scientific panel and by at least on applicant in the procedure.

(2) While conducting procedures under this act, containing classified information, the meetings of the relevant bodies shall be closed and the requirements of the Protection of Classified Information Act shall be applied.

§ 4a. (New - SG 30/18, in force from 04.05.2018) (1) The Minister of Education and Science shall, through the National Center for Information and Documentation, maintain a List of contemporary Bulgarian scientific publications, referenced and indexed in world-famous databases with scientific information, as well as shall make relevant inquiries regarding foreign scientific publications, referenced and indexed in world-renowned scientific information databases.

(2) The Minister of Education and Science shall, through the National Center for Information and Documentation, establish and maintain a National Reference List of contemporary bulgarian scientific publications with scientific review.

§ 4b. (New - SG 30/18, in force from 04.05.2018) Military academies and higher military schools shall apply the provisions of this Act, unless otherwise provided in the Act on the Defense and Armed Forces of the Republic of Bulgaria.

§ 4c. (New - SG 30/18, in force from 04.05.2018, amend. - SG 56/22) Alerts on the existence of plagiarism and/or lack of credibility of the submitted scientific data regarding completed procedures for acquisition of academic degrees and for holding academic positions under this Act, as well as for the acquisition of scientific degrees and scientific ranks under the order of the revoked Law of the Academic Degrees and Academic Ranks, shall be examined and checked by the Academic Ethics Committee under Art. 30, Para. 5 - 12 of this Act.

Transitional and concluding provisions

§ 5. (1) The Act on the Scientific Degrees and the Scientific Titles (publ., SG, 36 / 1972; amen., 43 /1975, 12/ 1977, 61 /1981, 94 /1986, 10 / 1990, 59 /1992 , 112 / 1995, 28 / 1996, and 54 /2000) shall be repealed.

(2) (suppl. – SG 101/10) All persons' rights, as payment, privilege in participation in competitions, etc, related to the scientific degrees and scientific titles, awarded under the terms and conditions of the repealed Act on the Scientific Degrees and the Scientific Titles, shall be reserved.

(3) (new – SG 101/10) Employment contractual relations of persons referred to in par. 2 who at the time of entering of this act into force occupy scientific-teaching or scientific position and hold a scientific degree, awarded in compliance with the revoked Act for the scientific degrees and scientific titles, shall be kept at the following academic positions:

1. for "assistant", "senior assistant" and "chief assistant", respectively "research fellow" I, II and III degree – at the academic position of "Chief Assistant";

2. for "reader", respectively "senior research fellow II degree" – at the academic position of "Reader";

3. for "professor", respectively "senior research fellow I degree" – at the academic position of "Professor".

(4) (new – SG 101/10) Employment contractual relations of persons referred to in par. 2 who at the time of entering of this act into force occupy scientific-teaching or scientific position and do not hold a scientific degree, awarded in compliance with the revoked Act for the scientific degrees and scientific titles, shall be kept at the following academic positions:

1. for "assistant", respectively "research fellow" III degree – at the academic position of "Assistant";

2. for "senior assistant" and "chief assistant", respectively "research fellow" II and I degree – at the academic position of "Chief Assistant";

3. for "reader", respectively "senior research fellow II degree" – at the academic position of

"Reader";

4. for "professor", respectively "senior research fellow I degree" – at the academic position of "Professor".

(5) (new – SG 101/10) Persons referred to in par. 4, item 2 shall be re-appointed to the academic position of "Assistant", if within 4 years after entering of this act into force they fail to acquire the educational and scientific degree of "Doctor".

(6) (prev. par. 3 – SG 101/10) Persons, awarded with scientific degrees and titles under the terms and condition of the repealed Act on the Scientific Degrees and the Scientific Titles, shall reserve their scientific titles and degrees after termination to occupy scientific or academic positions.

§ 6. (amend. – SG 101/10) The higher schools and scientific organizations shall be obliged to provide to the persons, with status quo at the positions Assistant, Senior assistant and Chief assistant, respectively – scientific worker III, II and I degree, who do not have the educational and scientific degree of Doctor, conditions for application for being awarded the educational and scientific degree of Doctor in an independent preparation.

§ 7. (announced as anti-constitutional by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10; new – SG 101/10) Persons having been awarded the scientific degree of "Doctor of Science" subject to the terms and conditions and following the provisions of the repealed Act on the Scientific Degrees and the Scientific Titles shall keep all rights arising out of the awarded scientific degree, and may occupy academic positions subject to compliance with this act even without being awarded the educational and scientific degree of Doctor.

§ 8. (1) (amend. – SG 101/10) The Higher attestation commission (HAC) shall be closed on 31 March 2011. The specialized scientific panels shall continue their activity by 28 February 2011, whereby their expired mandates shall be extended for this term.

(2) The assets and liabilities and the archive of the HAC shall pass to the Ministry of Education, Youth and Science.

(3) The Council of Ministers within the term under Para. 1 shall select a liquidation commission.

(4) The liquidation commission shall do the liquidation of the closed HAC within the term of 3 months after its selection.

(5) The expenses on the liquidation shall be on the account of the confirmed funds of the closed HAC of its budget, as well as on the budget of the Ministry of Education, Youth and Science.

(6) The legal relations with the chairperson, deputy chair person and the scientific secretary, as well as with the members of the Presidium of the scientific commission of the closed HAC shall be terminated by the Prime Minister, and the employment legal relation with the rest of the administration staff of the HAC – by the Minister of Education, Youth and Science.

§ 9. (1) The procedures open and unfinished at the enforcement of the law before the HAC shall be finalized under the previous terms and conditions, within the term under § 8, Para. 1. For open procedures shall be considered those, which have selected reviewers or the fee has been paid.

(2) (announced as anti-constitutional regarding the expression "the single state requirements in

the meaning of Art. 1, par. 3" by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10; amend. – SG 101/10) Within 2 month term after the enforcement of the act, the Council of Ministers shall adopt rules of procedure for its implementation.

§ 9a. (new – SG 101/10) (1) The procedures of occupying the academic position of Assistant opened and still pending prior to entering of § 9, par. 1 into force in which applicants with educational and scientific degree of Doctor participate shall be finalized following the existing procedure.

(2) Where no applicants with educational and scientific degree of Doctor participate in the procedures under par. 1, they can be terminated upon a decision of the Academic board.

(3) The procedures of occupying the academic position of Chief Assistant opened and still pending prior to entering of § 9, par. 1 into force, in cases where no applicants with educational and scientific degree of Doctor participate shall be terminated.

(4) The competitions for Reader, Senior research fellow II degree, Professor and Senior research fellow I degree, announced subject to compliance with the provisions of the repealed Act for the scientific degrees and titles, except for the cases under § 9, par. 1 shall be finalized according to the provisions of this act without publishing a new announcement in the State Gazette, whereby the applicants shall supplement the submitted by them documents subject to compliance with the requirements of this act.

§ 9b. (New - SG 30/18, in force from 04.05.2018) (1) Where the diploma for the scientific degree or the certificate of scientific rank, issued under the procedure of Art. 34, letter "f" of the repealed Law of the Academic Degrees and Academic Ranks, has been lost, destroyed, damaged, or have become unfit for use, the National Center for Information and Documentation at the Minister of Education and Science shall issue a certificate, which must contain the full names of the person, the acquired scientific degree or scientific rank, the scientific specialty, the date and the number of the diploma or certificate.

(2) The certificate under Para. 1 shall be issued upon application by the person, and in the presence of documentation showing that the lost, destroyed, damaged or unfit-for-use document was issued.

(3) The certificates under Para. 1 shall be issued in a form template approved by the Minister of Education and Science.

(4) Holders of a certificate under Para. 1 shall enjoy the rights of the holders of a scientific degree diploma or a certificate of scientific rank, issued by the order of Art. 34, letter "f" of the repealed Law of the Academic Degrees and Academic Ranks.

§ 10. (Announced as anti-constitutional by a Decision of the Constitutional Court No. 11 of 2010 – SG 81/10) Within one month term after the enforcement of the rules of procedure for application of the law, the higher schools and scientific organizations shall prepare and adopt rules for the terms and conditions for awarding scientific degrees and occupying academic positions. The rules shall be adopted by the Academic board of the higher school of the relevant body of the scientific organization.

§ 11. (revoked – SG 101/10)

§ 12. The Higher Education Act (publ., SG, 112 /1995; amen., 28 /1996, 56 / 1997; cor., 57/ 1997; amen., 58 / 1997, 60, 66, 111 and 113 /1999, 54 / 2000, 22 /2001, 40 and 53 / 2002, 48 and 70 / 2004, 77, 83 and 103 / 2005, 30, 36, 62 and 108 /2006 , 41 / 2007, 13, 43 and 69 / 2008 and. 42, 74 and 99 2009) shall be amended as follows:

1. In Art. 48:

a) in Para. 1, p. 2 the words "Senior assistant" shall be deleted;

b) Para. 3 shall be amended as follows:

"(3) The academic positions Assistant and Chief assistant, Reader and Professor shall be occupied under the terms and conditions of the Act on Development of the Academic Staff in the Republic of Bulgaria and of the rules of the higher schools.

2. Art. 49 shall be repealed.

3. In Art. 50, Para. 2 the word "three" shall be replaced by "two".

4. In Art. 77, Para. 3 the word "two" shall be replaced by "one".

5. In Art. 87, Para. 4 the words "as well as with participation in scientific commissions and in the presidium of the HAC" shall be deleted.

6. Everywhere the words "The Act on the Scientific Degrees and Scientific Titles" shall be replaced by: "The Act on the Development of the Academic Staff in the Republic of Bulgaria".

§ 13. In the Public Libraries Act (publ. SG 42 / 2009; amen. 74 /2009) in Art. 20 the words "the Act on the Scientific Degrees and Scientific Titles" shall be replaced by "The Act on the Development of the Academic Staff in the Republic of Bulgaria".

§ 14. In the Medical Establishments Act (publ., SG, 62 / 1999; amen., 88, 113 and 114 / 1999, 36, 65 and 108 / 2000 ; Judgment № 11 of the Constitutions Court of 2001 - 51 / 2001; amen., 28 and 62 /2002, 83, 102 and 114/ 2003 , 70 /2004, 46, 76, 85, 88 and 105 / 2005, 30, 34, 59, 80 and 105 / 2006 , 31, 53 and 59 / 2007., 110 / 2008 and. 36, 41, 99 and 101 / 2009) in Art. 80, Para. 1, p. 1 at the end a coma is placed, and is added "who have been specialized in the area of Medicine, Biology, Chemistry and Physics and other non-medical subjects"

§ 15. Within 1 month after the enforcement of the act, the Council of Ministers shall introduce to the National Assembly draftlaws, amending and supplementing the acts, whose provisions must be complied with this act.

This act was adopted by the 41st National Assembly on 15 April 2010 and on 13 May 2010, and has been sealed by the official stamp of the National Assembly.

Concluding provisions

TO THE ACT AMENDING AND SUPPLEMENTING THE ACT ON THE DEVELOPMENT OF THE ACADEMIC STAFF IN THE REPUBLIC OF BULGARIA

(PROM. – SG 101/10)

§ 59. (1) Within one month after entering of this act into force, the Council of Ministers shall amend and supplement the Regulations under § 9, par. 2 of the Transitional and Concluding provisions.

(2) Within one month after entering into force of Regulations amendment and supplementation referred to in par. 1 the higher schools and scientific organizations shall adjust their by-laws in compliance with the requirements of this act and the regulations for its application.

Concluding provisions
TO THE ACT AMENDING THE YOUTH ACT

(PROM. – SG 68/13, IN FORCE FROM 02.08.2013)

§ 7. In the Act on Development of the Academic Staff in the Republic of Bulgaria (prom. SG 38/10, Decision No. 11 of the Constitutional Court of 2010, SG 81/10; amend. SG 101/10) everywhere the words "the Minister of Education, Youth and Science", "Minister of Education, Youth and Science" and "the Ministry of Education, Youth and Science" shall be replaced respectively with "the Minister of Education and Science", "Minister of Education and Science" and "the Ministry of Education and Science".

.....

§ 55. The Act shall enter into force from the day of its promulgation in State Gazette.

Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE ACT ON DEVELOPMENT OF
THE ACADEMIC STAFF IN THE REPUBLIC OF BULGARIA

(PROM. - SG 30/18, IN FORCE FROM 04.05.2018)

§ 40. The procedures for the acquisition of scientific degrees and holding academic positions which have been opened but not yet completed until the entry into force of this act shall be completed under the terms and conditions so far.

§ 41. All materials in the procedures concluded before the entry into force of this Act, conducted under the conditions and by the order of the Act on Development of the Academic Staff in the Republic of Bulgaria, shall be published on the web site of the relevant higher school or scientific organization pursuant to Art. 4, Para. 13.

§ 42. Within two months after the entry into force of this Act:

1. the Council of Ministers shall amend and supplement:

a) the regulations under Art. 2b, Para. 3;

b) the classifier of the areas of higher education and the professional fields;

2. the Minister of Education and Science shall:

- a) issue the ordinance under Art. 2a, Para. 10;
- b) amend and supplement the regulations for the structure and activity of the National Information and Documentation Centre;
- c) issue the Rules of procedure of the Academic Ethics Committee, and shall determine its composition in compliance with the requirements of this Act;
- d) create the National reference List of contemporary bulgarian scientific publications with scientific review.

§ 43. Within 6 months after the entry into force of this **ЗЗТ**, higher education institutions and scientific organizations shall:

1. bring their regulations in line with the requirements of this Act and the Regulations for its implementation;
2. adopt the European Charter for Researchers, the Code of Conduct for Researchers' Selection and the Code of Ethics.

§ 44. (1) The National Information and Documentation Centre with the Minister of Education and Science shall form the register under Art. 2a from the electronic database for the dissertation works already defended and for the habilitated persons in the Republic of Bulgaria, which is to be brought into compliance with the requirements of this Act within 6 months of its entry into force.

(2) Within the term under Para. 1, the higher schools, the scientific organizations or the persons under Art. 2a, Para. 7 shall submit references, respectively declarations for the circumstances under Art. 2a, Para. 5 and for the compliance with the minimum national requirements under Art. 2b, Para. 2 and 3, which also state the individual numerical values of the scientific metrics reflecting their scientific achievements, and/or the indicators reflecting their achievements in the artistic-creative or sports activities, as well as the indicators that reflect the academic achievements in teaching.

(3) Until obligations under Para. 2 have been fulfilled, the composition of the scientific panels under Art. 4, Para. 4 shall be formed according to the current order.

(4) Persons who, within the term under Para. 2, do not meet the minimum national requirements under Art. 2b, Para. 2 and 3 shall be entered in the register under Art. 2a upon submission of evidence that they have accomplished compliance with these requirements.

.....

§ 46. This Act shall enter into force one month after its promulgation in the State Gazette.

Additional provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE RECOGNITION OF
PROFESSIONAL QUALIFICATIONS ACT

(PROM. - SG 21/21)

§ 22. This Act introduces the requirements of Directive (EU) 2018/958 of the European Parliament and of the Council of 28 June 2018 on a proportionality test before adoption of new

regulation of professions (OB, L 173/25 of 9 July 2018) and requirements of Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications.

Transitional and concluding provisions
TO THE ACT AMENDING AND SUPPLEMENTING THE RECOGNITION OF
PROFESSIONAL QUALIFICATIONS ACT

(PROM. - SG 21/21)

§ 24. The persons, who at the entry into force of this Act hold academic positions under employment legal relation in scientific groups at the museums under Art. 28, para. 4 of the Cultural Heritage Act, have the right to be entered in the register under Art. 2a of the Act on Development of the Academic Staff in the Republic of Bulgaria.