

Rules of Organization and Operation of the Commission for Prevention and Ascertainment of Conflict of Interest

Promulgated, State Gazette No. 54/15.07.2011, amended and supplemented, SG No. 104/27.12.2011, effective 27.12.2011, SG No. 62/14.08.2012

Chapter One GENERAL DISPOSITIONS

Article 1. These Rules shall determine the organisation and operation of the Commission for Prevention and Ascertainment of Conflict of Interest, hereinafter referred to as "the Commission", as well as the structure, working arrangements, functions and numerical size of the administration thereof.

Article 2. (1) The Commission shall be a specialized, independent, standing State body for examination and ascertainment of conflict of interest in respect of the persons covered under Article 3 of the Conflict of Interest Prevention and Ascertainment Act.

(2) The Commission shall be a legal person with a head office in Sofia, a first-level spending unit.

(3) The Commission shall act on the basis of the principles of legality, publicity, transparency and political neutrality.

Article 3. The activity of the Commission shall be assisted by an administration.

Article 4. The Chairperson and the members of the Commission, the employees and the experts shall be obligated to discharge the duties thereof in good faith.

Chapter Two COMMISSION'S ORGANIZATION, FUNCTIONS AND WORKING ARRANGEMENTS

Section I Commission's Status and Powers

Article 5. The Commission shall be a collegial authority which shall consist of five members, including a Chairperson, who shall be elected and appointed according to the procedure established by Article 22a of the Conflict of Interest Prevention and Ascertainment Act. The term of office of the Chairperson and of the members of the Commission shall be five years, and they shall be limited to two full successive terms of office.

Article 6. The members of the Commission:

1. shall be of equal standing with one another;

2. shall implement the activity thereof conforming to the functions assigned thereto by the law.

Article 7. The Commission:

1. shall implement the legal powers thereof according to Articles 26 to 31 of the Conflict of Interest Prevention and Ascertainment Act;

2. (new, SG No. 104/2011, effective 27.12.2011, amended, SG No. 62/2012) shall adopt resolutions ascertaining the existence or lack of conflict of interest under Article 27, paragraph (1) of the Conflict of Interest Prevention and Ascertainment Act;

3. (new, SG No. 104/2011, effective 27.12.2011, amended, SG No. 62/2012) shall adopt resolutions for termination of the proceedings due to the existence of impediments within the meaning of Article 27, paragraph (2) of the Administrative Procedure Code, as well as under the conditions of Article 23, paragraph (2) of the Conflict of Interest Prevention and Ascertainment Act, and due to failure to submit data, required on the grounds of Article 17, paragraph (3) of these Rules, in connection with Article 30, paragraphs (1) and (2) of the Administrative Procedure Code;

4. (new, SG No. 104/2011, effective 27.12.2011, amended, SG No. 62/2012) shall discuss opinions in connection with requests received for clarification of the law and prepare guidelines for prevention of conflict of interest;

5. (renumbered from Item 2, SG No. 104/2011, effective 27.12.2011) shall keep and maintain the registers covered under Article 22i of the Conflict of Interest Prevention and Ascertainment Act;

6. (renumbered from Item 3, SG No. 104/2011, effective 27.12.2011) shall adopt standard forms of declarations of conflict of interest and incompatibility in accordance with the provisions of the Conflict of Interest Prevention and Ascertainment Act with the exception of the declaration referred to in Item 2 of Article 12 of the Act;

7. (renumbered from Item 4, SG No. 104/2011, effective 27.12.2011, repealed, SG No. 62/2012);

8. (renumbered from Item 5, SG No. 104/2011, effective 27.12.2011, repealed, SG No. 62/2012);

9. (renumbered from Item 6, SG No. 104/2011, effective 27.12.2011) shall adopt rules/agreements on interaction with other state bodies for achievement of the purposes of the Conflict of Interest Prevention and Ascertainment Act;

10. (renumbered from Item 7, amended, SG No. 104/2011, effective 27.12.2011) shall host a publicly accessible Internet site, in which it shall publish the adopted resolutions, opinions, guidelines, as well as other instruments;

11. (renumbered from Item 8, SG No. 104/2011, effective 27.12.2011) shall express opinions on drafts of statutory instruments as to the conformity thereof with the legislation

and principles of prevention and ascertainment of conflict of interest, as well as give recommendations to adopt, repeal, amend and supplement statutory instruments relevant to the prevention and ascertainment of conflict of interest;

12. (renumbered from Item 9, SG No. 104/2011, effective 27.12.2011, amended, SG No. 62/2012) shall express opinions and shall propose measures to bring Bulgarian legislation related to the prevention and ascertainment of conflict of interest into conformity with EU law and the instruments of international law;

13. (renumbered from Item 10, SG No. 104/2011, effective 27.12.2011) shall implement other powers as well, as provided for in a law and in these Rules.

Article 8. In the implementation of the powers thereof, the Commission shall pronounce by decisions.

Article 9. (1) Annually, the Commission shall prepare a report on the activity thereof and shall lay the said report before the National Assembly not later than the 31st day of March of the next succeeding year.

(2) The report shall be published on the Internet site of the Commission.

Article 10. The Chairperson, the members of the Commission and the employees of the administration thereof shall be under an obligation not to disclose any information constituting an official secret.

Article 11. Public statements on any matters concerning the activity of the Commission shall be made by the Chairperson or by a member authorized thereby.

Article 12. (1) (Amended, SG No. 62/2012) The members of the Commission can be only Bulgarian citizens with a permanent address in the country, who hold a degree of higher education in law.

(2) The time during which the members of the Commission perform the functions thereof shall count as a period during which they have practised law.

Section II

Commission's Working Arrangements

Article 13. (Amended, SG No. 62/2012) The working arrangements of the Commission shall be implemented according to the provisions of the law, of [these] Rules and of the internal rules.

Article 14. The Commission shall consider and decide the matters lying within the competence thereof at meetings convened by the Chairperson on the initiative thereof or on a written request by another member of the Commission.

Article 15. (1) For the valid transaction of business at the meetings of the Commission, not fewer than three of the members of the Commission shall have to be present thereat.

(2) The materials concerning the agenda of the meetings shall be provided to the members of the Commission by an employee at the Chairperson's Cabinet not later than two working days before the meetings. This time limit may be changed as an exception.

(3) By decision of the Commission, considering the factual or legal complexity of the case file, an employee of the administration may participate in the meetings of the Commission, and the said employee shall report to the Commission and shall not take part in the voting.

(4) The meetings of the Commission shall be presided over by the Chairperson, and when the Chairperson is absent, the said meetings shall be presided over by a member of the Commission designated thereby.

(5) The quorum necessary for the adoption of decisions shall be established upon the opening of the meetings of the Commission.

(6) (Amended, SG No. 62/2012) The Commission shall pronounce by reasoned decisions adopted by open ballot, by a majority of more than one-half of all members. The rights of an absent member may not be delegated to another member. The decisions referred to in Article 27, paragraph (3) of the Conflict of Interest Prevention and Ascertainment Act shall be adopted unanimously by secret ballot.

(7) The decisions of the Commission shall be signed by all members who took part in the voting. Non-signing of a decision by a member of the Commission, provided the required quorum and majority are complied with, shall not affect the validity of the decision.

(8) A member of the Commission who disagrees with a decision shall sign the said decision with a dissenting opinion. Reasons for the dissenting opinion shall be submitted within three working days after the adoption of the decision and shall be attached thereto.

(9) A verbatim record shall be kept of the meeting of the Commission, with the deliberations and the voting of each of the members of the Commission being recorded therein. The minutes of proceedings at the meetings of the Commission shall be drawn up not later than three days after the holding of the meeting and shall be signed by the members of the Commission who attended the meeting and by a stenographer.

Section III

Commission's Activity in Connection with Proceedings for Prevention and Ascertainment of Conflict of Interest

Article 16. (1) The following grounds shall apply for the institution of a proceeding for ascertainment of a conflict of interest:

1. a written alert submitted to the Commission;
2. a decision of the Commission;

3. a written request of a public office holder.

(2) A proceeding may be instituted on the basis of two grounds covered under Paragraph (1), when they have an identical subject and parties.

Article 17. (1) Alerts under Article 24 (1) and (2) of the Conflict of Interest Prevention and Ascertainment Act shall be submitted by natural and/or legal persons. Written evidence may be attached to the alert.

(2) Alerts under Article 24 (3) of the Conflict of Interest Prevention and Ascertainment Act shall be submitted by the electing or appointing authority or by the relevant committee referred to in Items 1 and 3 of Article 25 (2) of the Conflict of Interest Prevention and Ascertainment Act forthwith after learning of the appropriate fact. Certified copies of the documents relevant to the alert shall be attached to the alert.

(3) The alert referred to in Paragraphs (1) and (2) shall be submitted in writing and shall contain:

1. the forename, patronymic and surname and the address, the Standard Public Registry Personal Number, telephone, telefax and electronic mail address, if any: applicable to Bulgarian citizens;

2. the full name and address, the Personal Number: applicable to an alien or to a citizen of the European Union, and the address declared at the competent administration, telephone, telefax and electronic mail address, if any;

3. the business name of the merchant or the designation of the legal person, written in Bulgarian, Unified Identification Code or BULSTAT Number, as applicable, the registered office, the last address of the place of management as stated in the relevant register and the electronic mail address thereof, as well as the forename, patronymic and surname and the Standard Public Registry Personal Number of the [natural] person who represents the legal person;

4. designation of the electing or appointing authority or of the relevant committee referred to in Items 1 and 3 of Article 25 (2) of the Conflict of Interest Prevention and Ascertainment Act, including the forename, patronymic and surname and the Standard Public Registry Personal Number of the person submitting the alert;

5. the names of the person whereagainst the alert is submitted, the office held thereby and the place of work;

6. (amended, SG No. 104/2011, effective 27.12.2011) data of the alleged violation of the Conflict of Interest Prevention and Ascertainment Act, which are in the possession of the person submitting the alert, such as place and period of performing the violation, description of the act, and other circumstances in which the act has been committed;

7. date and signature.

Article 18. (1) Anonymous alerts shall not be examined.

(2) In the cases where a natural or a legal person submits an alert under an assumed name, the Commission shall apprise the competent authorities.

Article 18a. (New, SG No. 62/2012) (1) The Commission shall adopt a decision for institution of a proceeding for ascertainment of a conflict of interest in accordance with Article 23, paragraph (1), second hypothesis of the Conflict of Interest Prevention and Ascertainment Act, where information exists that a provision of the act has been breached.

(2) The information referred to in paragraph (1) can be contained in the following sources:

1. publication in printed media or a broadcast in electronic media;
2. anonymous alert, the proceeding in connection with which has been terminated;
3. proceeding with a subject other than the subject of the decision referred to in paragraph (1);
4. administrative act of a government authority;
5. document, sent by a government authority at the request of the Commission for Prevention and Ascertainment of Conflict of Interest;
6. other sources, giving rise to reasonable suspicion of a conflict of interest.

Article 18b. (New, SG No. 62/2012) (1) The Commission shall adopt a decision on the tabled proposal for institution of a proceeding for ascertainment of a conflict of interest at a quorum and with the majority, set out in Article 22g, paragraph (2) of the Conflict of Interest Prevention and Ascertainment Act.

(2) The proposal referred to in paragraph (1) shall be tabled by the Legal Directorate.

(3) The decision shall contain:

1. the names of the individual/individuals, against whom the proceeding is instituted;
2. position occupied;
3. place of work;
4. information about the alleged violation of the Conflict of Interest Prevention and Ascertainment Act, such as place and period, description of the act.

Article 19. (1) The requests of public office holders for ascertainment of the non-existence or existence of a conflict of interest in connection with the execution of the official powers or duties thereof shall contain:

1. the names of the person, the office held thereby and the place of work;
2. a narrative of the circumstances on which the request is based;

3. date and signature.

(2) Written evidence shall be presented with the request.

Article 20. (1) In the cases referred to in Article 20 (1) of the Conflict of Interest Prevention and Ascertainment Act, the Commission shall pronounce on appeals against written acts on suspension on a particular occasion from the execution of powers or of official duties, which shall contain:

1. the forename, patronymic and surname, the Standard Public Registry Personal Number, current address and telephone of the appellant;

2. a specification of the contested act referred to in Article 20 (1) of the Conflict of Interest Prevention and Ascertainment Act;

3. description of facts relevant to the case;

4. a request to ascertain an existence or non-existence of a conflict of interest.

(2) The appeals shall be submitted by the suspended person to the Commission, which shall procure all relevant evidence from the competent electing or appointing authority. The said authority shall prepare a complete case file and shall send it forthwith to the Commission.

Section IV

Chairperson

(Title amended, SG No. 62/2012)

Article 21. (1) The Chairperson of the Commission:

1. shall represent the Commission or shall authorize another member to represent the Commission;

2. shall organize and direct the activity;

3. shall determine the agenda and shall convene the meetings;

4. shall publish the decisions and the reports on the activity of the Commission on the Internet site thereof;

5. shall lay the annual report on the activity of the Commission before the National Assembly;

6. shall control and be responsible for the implementation of the budget;

7. shall control compliance with the decisions of the Commission;

8. shall exchange information for the purposes of the activity of the Commission with the respective bodies in other States and with international organizations; shall take a stand on

international instruments and international treaties concerning the activity of the Commission, which are in force for the Republic of Bulgaria;

9. (amended, SG No. 62/2012) shall endorse a staffing schedule by positions and names and the job description of the Chief Secretary;

10. (amended, SG No. 62/2012) shall conclude, modify and terminate the employment contracts with the employees of the administration; shall issue acts within the meaning of the Civil Servants Act for appointment, re-appointment, modification and termination of official legal relationships;

11. shall conclude and terminate the civil-law contracts with outside experts;

12. shall authorize inland and international business trips of the members of the Commission, the employees of the administration and the outside experts;

13. shall commission the elaboration of observations on bills and on drafts of statutory instruments of secondary legislation prepared by the authorities;

14. shall inform the public of the activity of the Commission through the mass communication media;

15. (amended, SG No. 104/2011, effective 27.12.2011) shall appoint the officials from the administration of the Commission, which shall prepare acts of ascertainment of administrative violations under Article 43 of the Conflict of Interest Prevention and Ascertainment Act, and shall issue penalty decrees for imposition of administrative sanctions provided for in Chapter Nine of the Conflict of Interest Prevention and Ascertainment Act;

16. (new, SG No. 104/2011, effective 27.12.2011, amended, SG No. 62/2012) shall assign the elaboration of analyses of the cases in which resolutions of the Commission have been appealed against before the corresponding court of law;

17. (new, SG No. 62/2012) shall approve all internal documents, related to the work of the administration, including internal rules, incl. the internal rules for organisation of salaries, instructions and other documents.

(2) The rules for secondment and reporting of the Chairperson shall be determined by a decision of the Commission.

(3) (New, SG No. 62/2012) In the absence of the Chairperson, the functions thereof shall be performed by a member of the Commission, designated by the Chairperson via an order.

Article 22. (Repealed, SG No. 62/2012).

Section V

Legal Directorate

Article 23. The Legal Directorate shall be under the direct orders of the Chairperson of

the Commission, shall be headed by a director, and shall ensure the legal servicing of the Commission and, to this end, shall perform the following functions:

1. provide legal standards services and represent the Commission by counsel;
2. draft orders in compliance with directions of the Chairperson of the Commission;
3. process the case files and prepare drafts of individual administrative acts and written statements for enforcement of administrative penalty liability under the Conflict of Interest Prevention and Ascertainment Act together with the reasons thereto;
4. conduct examinations and gather information on the existence of incompatibility and conflict of interest under Chapters Two, Three, Four and Five of the Conflict of Interest Prevention and Ascertainment Act;
5. maintain the registers covered under Article 22i of the Conflict of Interest Prevention and Ascertainment Act;
6. see to the legal conformity of the public procurement award procedures at the Commission;
7. implement the interaction of the Commission with the counterpart bodies of other States;
8. organize the cooperation of the Commission with international organizations;
9. gather, process, analyze and make available information on the bilateral and multilateral cooperation of the Commission;
10. jointly with other services, prepare, analyze and evaluate the international agreements on behalf of the Commission and propose the conclusion of the said agreements;
11. (amended, SG No. 62/2012) support the carrying out of the international activity of the Commission with other state bodies;
12. carry out other activities as well, as may be assigned thereto by the Commission and/or the Chairperson.

Chapter Three

ADMINISTRATION STRUCTURE AND FUNCTIONS

Article 24. (1) (Amended, SG No. 104/2011, effective 27.12.2011) The numerical size of the Commission and the administration thereof shall be 40 persons according to the annex.

(2) The activity of the Commission shall be implemented with the help of a Chief Secretary, of an administration, which shall be organized into functional directorates, an internal auditor, and a financial controller. Departments and sectors within the directorates may be established, transformed and closed by decision of the Commission.

Section I

Chief Secretary

Article 25. (1) (Amended, SG No. 62/2012) The Chief Secretary shall be appointed by the Chairperson of the Commission. Eligibility for appointment as Chief Secretary shall be limited to persons holding a degree of higher education in economics or law.

(2) (Amended, SG No. 62/2012) The Chief Secretary shall carry out the administrative management of the administration and, to this end:

1. shall organize and coordinate the tasks among the various units of the administration;
2. (amended, SG No. 62/2012) shall organize and coordinate the activity among the various units;
3. shall report the appeals and alerts received to the Chairperson and the Commission;
4. shall ensure logistical support for the work at the various units of the Commission;
5. shall organize and be responsible for the management of the corporeal immovables and movable things allocated to the Commission which are used for administrative needs;
6. (new, SG No. 62/2012) shall approve the job descriptions of the officials in the administration;
7. (renumbered from Item 6, SG No. 62/2012) shall execute other tasks as well, assigned thereto by the Commission and the Chairperson.

(3) In the absence of the Chief Secretary, the functions thereof shall be performed by a person of the administration designated by the Chairperson.

Section II

Financial Controller and Internal Auditor

Article 26. (1) The financial controller shall be appointed according to the Public Sector Financial Management and Control Act and shall be under the direct orders of the Chairperson of the Commission.

(2) The financial controller shall implement ex ante control as to legal conformity according to Item 5 of Article 13 (3) of the Public Sector Financial Management and Control Act.

Article 27. The financial controller shall implement the activity thereof according to the Public Sector Financial Management and Control Act following a procedure established by the Chairperson of the Commission, in conformity with the instructions of the Minister of Finance.

Article 28. (1) The internal auditor shall be under the direct orders of the Chairperson of

the Commission and shall implement internal audit under the Public Sector Internal Audit Act.

(2) The internal auditor shall implement the activity concerning internal audit of all structures, programmes, activities and processes at the Commission and the administration thereof in conformity with Article 13 of the Public Sector Internal Audit Act.

(3) The internal auditor shall report directly to the Chairperson of the Commission.

(4) The internal auditor:

1. shall plan, carry out and report the activity concerning internal audit in accordance with the requirements of the Public Sector Internal Audit Act, the Internal Auditing Standards, the Code of Ethics of Internal Auditors, the status of internal audit and the methodology for internal audit in the public sector endorsed by the Minister of Finance;

2. shall prepare, on the basis of a risk assessment, a three-year strategic plan and an annual plan for the activity thereof, which shall be endorsed by the Chairperson;

3. shall prepare an audit plan for each audit assignment, which shall indicate the scope, objectives, duration and allocation of resources for implementation of the assignment, the audit approach and techniques, the type and volume of checks;

4. shall provide the Chairperson with an independent and objective opinion concerning the state of the financial management and control systems audited;

5. shall evaluate the processes of risk identification, assessment and management, as introduced by the Chairperson;

6. shall verify and evaluate: the compliance of activities with legislation, internal acts and contracts; the reliability and comprehensiveness of financial and operating information; the arrangements made for safeguarding of assets and information; the effectiveness, efficiency and economy of operations; the execution of tasks, performance of contracts, honouring of commitments assumed and the achievement of goals;

7. shall counsel the Chairperson at the request thereof, by providing advice, opinions, delivering training and other services designed to improve the processes of risk management and control, without assuming managerial accountability for this;

8. shall report to and discuss the results of each audit assignment implemented with the Chairperson and with the heads of the structures whereof the activity has been audited, and shall present an audit report;

9. shall make recommendations in the audit reports for improvement of the adequacy and effectiveness of the financial management and control systems, shall assist the Chairperson in the preparation of an action plan, and shall follow up on the implementation of the recommendations;

10. shall prepare and present an annual internal audit activity report to the Chairperson of the Commission in accordance with Article 40 of the Public Sector Internal Audit Act.

Section III

Financial and Economic Activities and Administrative Services Directorate

Article 29. The Financial and Economic Activities and Administrative Services Directorate shall provide technical assistance to the activity of the Commission and of the Legal Directorate.

Article 30. The Financial and Economic Activities and Administrative Services Directorate shall be headed by a director and shall be under the direct orders of the Chief Secretary, and:

1. shall be responsible for the arrangements for the financial operations, internal financial control, accounting and reporting at the Commission in accordance with the provisions of the law;

2. shall organize the reporting of income and expenditures of the Commission according to the uniform budget classification in accordance with the budget set;

3. shall prepare an annual draft of an allocation of the budget of the Commission;

4. shall prepare monthly and annual reports on implementation of the budget of the Commission;

5. shall prepare monthly trial balances, as well as the annual balance sheet;

6. shall prepare monthly payrolls for the salaries of the employees;

7. shall be responsible for the repair works on the building of the Commission, as well as for the maintenance, insurance and conservation of the physical assets;

8. shall organize the transport services, shall register and insure the means of transport of the Commission, maintenance, repairs and inspections;

9. shall accept, keep and provide to the members of the Commission data about the materials received at and from the administration units, in conformity with the internal rules of operation of the Commission;

10. shall prepare information briefs for state bodies;

11. shall assist the Commission in human resources management;

12. shall organize the conduct of the personnel process in accordance with the organisation and management of the administration of the Commission;

13. shall implement centralized methodological guidance of the recruitment, study and

development of personnel;

14. shall plan and organize vocational personnel training;

15. shall elaborate and propose for endorsement drafts of the structure, the staffing and the staffing schedule listing the employees by name;

16. shall draft contracts and orders in connection with the formation, modification and termination of civil-service relationships and employment relationships;

17. (repealed, SG No. 62/2012);

18. (amended, SG No. 62/2012) shall organize and assist the performance appraisal process;

19. (amended, SG No. 62/2012) shall draw up, finalise and safeguard the employment and official records of the Commission officials and keep them in compliance with the Labour Code and the Civil Servants Act ;

20. shall examine complaints and requests by employees on personnel matters and shall draft proposals on addressing the said matters;

21. shall organize public procurement award procedures and shall prepare the requisite documents;

22. shall issue certifying documents;

23. shall organize and maintain the record-keeping system and the archives of the Commission in conformity with the internal rules of operation of the Commission;

24. shall build the information and system environment necessary for the functioning of the automated databases that have been created;

25. shall implement the interaction with the automated databases of other state bodies and institutions;

26. shall prepare drafts of intra-departmental acts of the Commission in the sphere of the information and analytical activities and computer and information technologies;

27. shall organize and control the official correspondence of the Commission, as well as compliance with the regulatory requirements for handling documents and other classified information media;

28. shall design, host and update the Internet site of the Commission;

29. (new, SG No. 62/2012) shall organise the preparation and conducting of competitions for civil servants;

30. (new, SG No. 62/2012) shall organise and control the compliance with the standards for safe and healthy working conditions;

31. (new, SG No. 62/2012) shall coordinate the public relations;

32. (new, SG No. 62/2012) shall organise and take part in the annual inventory taking;

33. (new, SG No. 62/2012) shall also perform other functions, stemming from statutory instruments, or tasks, as may be assigned thereto by the Chairperson of the Commission.

Chapter Four

WORKING ARRANEGEMENTS

Article 31. (1) (Amended, SG No. 62/2012) The Chief Secretary, with the assistance of the Director of the Financial and Economic Activities and Administrative Services Directorate and the Director of the Legal Directorate shall direct, organize, control, coordinate, account for and be responsible for the activity of the administration and for the execution of the tasks of the respective directorates.

(2) The persons referred to in Paragraph (1):

1. shall report to the Chairperson of the Commission or to the Commission on the matters incorporated into the functions thereof;

2. shall participate in sessions and meetings of the Commission under the terms provided for in these Rules and in the internal work rules;

3. shall refer and shall sign documents on matters incorporated into the functions of the directorates headed thereby within the powers vested therein;

4. shall distribute the duties, the work and the case files among the employees in the directorates and shall control the progress of case files;

5. within the numerical size and budget resources endorsed by the Commission, shall determine the specific tasks and the functional links of the units in the directorates;

6. shall prepare the draft of an annual budget of the respective directorate and the report on the implementation of the said budget and shall present the said draft and report to the Chairperson of the Commission;

7. shall exercise control and shall make arrangements for compliance with the internal acts of the Commission.

(3) Not later than the 31st day of January of the current year, the persons referred to in Paragraph (1) shall present a report on the performance of the respective directorate for the last preceding year.

(4) The persons referred to in Paragraph (1) shall execute other tasks as well, as may be assigned thereto by the Commission or the Chairperson thereof within the scope of the activity of the said persons.

Article 32. The employees of the Commission shall execute the tasks assigned thereto and shall be responsible to the immediate superior thereof for the performance of the work in conformity with the job descriptions thereof.

Article 33. The Chairperson, the members and the employees of the Commission shall be obligated not to disclose any circumstances and facts which have come to the knowledge thereof in the course of or in connection with the execution of the official duties thereof.

Article 34. (1) Upon the execution of the activity thereof, the Commission shall require and shall receive information from the bodies of state power, the bodies of local self-government, the other institutions, as well as from the legal and natural persons.

(2) Upon the implementation of the powers thereof, the members of the Commission and the employees at the administration thereof shall certify the capacity thereof by means of an identity card. The appearance of the identity card shall be determined by the Chairperson of the Commission.

(3) The pass control, fire protection and other specific provisions related to the working arrangements of the administration of the Commission shall be determined by an order of the Chairperson of the Commission.

Article 35. The procedure for the formation, allocation and use of the wage bill, of the supplementary labour remunerations and the supplementary incentives of the Commission and of the administration thereof shall be established by internal wage organization rules, which shall be adopted by decision of the Commission.

FINAL PROVISION

Sole §. These Rules have been adopted in pursuance of Article 22a (5) of the Conflict of Interest Prevention and Ascertainment Act by the Commission for Prevention and Ascertainment of Conflict of Interest.

RULES amending and supplementing the Rules of Organization and

Operation of the Commission for Prevention and Ascertainment of Conflict

of Interest

(SG No. 104/2011, effective 27.12.2011)

FINAL PROVISION

§ 6. The Rules amending and supplementing the Rules of Organization and Operation of the Commission for Prevention and Ascertainment of Conflict of Interest have been adopted with a resolution of the Commission for Prevention and Ascertainment of Conflict of Interest dated 21.12.2011 and shall become effective as of the date of their promulgation in the State Gazette.

Annex

to Article 24 (1)
(Amended, SG No. 104/2011, effective 27.12.2011,
SG No. 62/2012)

Numerical size of the staff at the Commission for Prevention and Ascertainment of Conflict of Interest: 40 tenured positions	
Total staff size of the administration, of which:	40
1. Chairperson	1
1.1. Members	4
2. Chief Secretary	1
3. Internal auditor	1
4. Financial controller	1
5. General administration, organized into a Financial and Economic Activities and Administrative Services Directorate	11
Specialized administration, organized into a Legal Directorate	21