

# ANTI-EPIDEMIC MEASURES IN BULGARIA DURING 2020

EMERGENCY  
EPIDEMIC  
SITUATION

•  
CORONAVIRUS  
(COVID-19)

## COVID19 | CORONAVIRUS PREVENTION 2019 - nCoV



Wear mask



Wash hands



Boil your food



Avoid contact



Use soap &  
Antibacterial gel



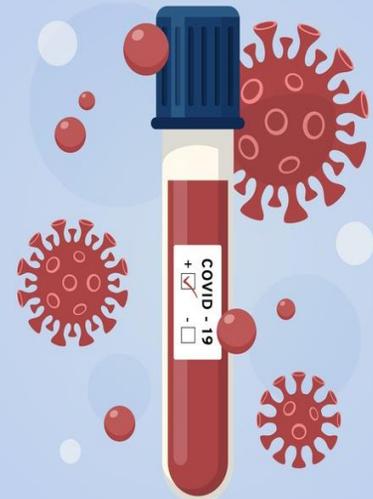
Cough on  
your elbow



Keep your  
distance



Regular  
sleep



This article is meant to serve as a guide for readers interested in the chronological order of the different anti-epidemic measures, which were in effect in Bulgaria during 2020. The focus of the exposition is the restrictions imposed upon the citizens and some business activities.

Some specific details were omitted to make the experience of the reader more pleasant and to describe the measures that affected the most individuals and business entities, ensuring that the attention of most readers would be concerned with measures which probably restricted in some form their daily activities.

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## I. INTRODUCTION

The beginning of the spread of SARS-Cov-2 in Bulgaria coincided with many people already suffering from the flu. As a result, on 05.03.2020, the Minister of Healthcare issued an [order](#) declaring a flu epidemic. The order suspended school classes, prophylactic consultations, routine medical examinations and immunizations, elective surgery, and hospital visitations. The order also described other anti-epidemic measures, but they were only recommendations, whose violation was not punished with an administrative sanction.

On 08.03.2020 the first cases of people suffering from SARS-Cov-2 were confirmed in Bulgaria, in the cities Gabrovo and Pleven. On the same day, the Minister of Healthcare issued an [order](#) suspending the classes and extracurricular activities in schools and universities, and other educational establishments **in the provinces of Gabrovo and Pleven**. Kinder gardens were also closed. Mass events were forbidden, including visiting sport and cultural sites such as cinemas, theatres, concert halls, gyms, as well as other locations where many people are gathered in a closed area.

The same order envisioned measures regarding **all provinces of Bulgaria**. Cultural events were forbidden, including cinemas. Sporting events were to be held without an audience being present. Mass events with the presence of children were forbidden.

On 11.03.2020, a subsequent [order](#) of the minister specified and amended the measures, by repealing the previous orders. Item I of the order described in additional detail the measures in the provinces which already had confirmed cases. Item II of the order regulated the measures in the provinces which at that moment did not have cases of the new coronavirus, and mainly concerned the events of cultural, entertainment, educational or scientific nature that are held in closed spaces. They were restricted to having up to 250 individuals, having at least 1 meter social distance, or an empty seat between them.

## II. ORDER OF THE MINISTER OF HEALTHCARE

On March 13<sup>th</sup>, 2020, the first large nation-wide anti-epidemic measures were adopted with [Order № PA-01-124/13.03.2020 of the Minister of Healthcare](#), which put in effect the following restrictions:

- The visits to entertainment and gaming halls, clubs, bars, restaurants, fast food restaurants, coffee shops, and large shopping centres type "mall" were forbidden. The visitations to bank and insurance offices, grocery stores, and pharmacies were allowed.
- Restaurants and fast-food restaurants were only allowed to deliver products to the address of the customer in strict compliance with sanitary and hygienic requirements, as customers were forbidden to consume their food in these venues.
- Schools, universities and similar institutions were closed and online education had to be applied whenever possible. Extracurricular activities weren't allowed. Kinder gardens and day-care centres were closed.
- Mass events were suspended, including sport, cultural, entertainment, and scientific events (cinemas, theatres, concerts, museums, conferences, symposiums, sports and SPA centres, gyms, etc.).
- Employers were asked if possible, to enforce "home offices". Otherwise, employers had to organize the implementation of enhanced anti-epidemic measures in the workplace, including filter, disinfection and ventilation, instructed to observe personal hygiene of staff and not to permit on the office premises employees or outsiders, who manifest any acute infectious disease.
- The prophylactic consultations and immunizations, elective surgery, and organ transplantations were suspended.

## III. CRIMINAL CODE

Art. 355 of the [Criminal Code \(CC\)](#) was edited several times to make the provision more specific and applicable, as it criminalized the violation of an order, rule, or measure against the spreading or occurrence of

infectious disease amongst people. The punishment currently is from three months to up to three years of imprisonment and a fine of 1 000 to 10 000 BGN. If the act is committed during an epidemic, pandemic or state of emergency related to death cases, the penalty will be up to five years of imprisonment and a fine of 10 000 to 50 000 BGN.

Later on, the penalty was raised for the crime of speculation - the selling of commodities at a price above the price that is legally fixed, if the act is carried out during a state of emergency.

The penalty was raised for the crime of transmitting by a radio, telephone or in any other way false calls or misleading signs for help, accident or distress in the cases where considerable harmful effects have been caused.

The amendments in the Criminal Code with SG 23/14 March 2020, SG 28/24 March 2020, must be carefully examined in the light of Art.2, par. 2 CC: *"If, by the time of entry into force of the sentence, different laws have been adopted, the law which is most favourable to the perpetrator shall be applied."*

A different problem arose, due to the fact the violation of an anti-epidemic measure is now a crime, but at the same time it is also an administrative violation. No obligatory case-law exists yet, but most jurists agree, that the criterion to differentiate if an act was a crime, or a violation is Art.9, par.2 of the CC: *"Not criminal is the act which, though formally contains the signs of a crime stipulated by the law, due to its minor importance, is not socially dangerous or its social danger is obviously negligible."*

#### IV. ACT ON THE MEASURES AND ACTIONS DURING THE STATE OF EMERGENCY

The first legislative measures were adopted with the Act on the Measures and Actions during the State of Emergency Declared with the Decision of the National Assembly of March 13th, 2020 ("AMADSE" or "the Act"). The Act was adopted by the National Assembly on March 20th, [promulgated in the State Gazette on March 24th](#), but it entered into force retroactively from March 13th, 2020.

##### 1. More powers were given to the Minister of Healthcare

The AMADSE allowed the minister to adopt more anti-epidemic measures. Before that he was limited only to the measures envisioned in the [Health Act \("HA"\)](#).

During the State of Emergency and for two months after its end the Minister of Healthcare was allowed with an order to ban the export of medicinal products from the territory of the Republic of Bulgaria within the meaning of the [Medicinal Products in Human Medicine Act](#). The penalty for violating such an order could go up to 50 000 BGN, and up to 100 000 BGN for a repeated offense. He used this prerogative on 20.03.2020 by banning the export of quinine-based drugs. [On 18.12.2020, the export of many other drugs was banned until 31.01.2021.](#)

The Minister was also allowed to order inspections on the proper implementation of anti-epidemic measures.

The AMADSE amended the Health Act (HA) allowing the minister to order the mandatory isolation of people suffering from COVID-19, people who were in contact with them, as well as people who recently came to Bulgaria from another country.

##### 2. Administrative sanctions

**The violations of the anti-epidemic measures, which were set forth in an order, issued on the basis of the HA,** including the orders of the minister, should the act not constitute a crime, were to be sanctioned with a fine of 5 000 BGN, or 15 000 BGN should the violation be carried out by a sole trader or a legal entity. Later on, **on 09.04.2020** the fine ranged from 300 BGN to 1 000 BGN and from 1 000 to 2 000 BGN for a repeated offence, while the fine for sole traders and legal entities became from 500 to 2 000 BGN, and from 2 000 to 5 000 BGN for

a repeated offense. Afterwards, new amendments entered into force on 14.05.2020, by which other violations of the HA were also sanctioned with the same fines.

During 2020 the HA was amended several times. A person, suffering from a contagious disease or an infectious person, who refuses or violates his mandatory isolation and/or treatment was to be fined 5 000 BGN. Later on, the same sanction temporarily applied for people, who had crossed the border or who had been in contact with the mentioned persons. After 24.03.2020 a person who had come in contact and denied to be examined in order to be diagnosed, was to be fined with 50 up to 500 BGN.

### **3. During the State of Emergency, the following terms were suspended from 13.03.2020 onwards:**

3.1. The procedural terms for pending court, arbitration, and enforcement proceedings were suspended, i.e. no procedural steps were to be taken, except for the adoption of acts. The terms continued to run once again on 22.05.2020. Terms regarding criminal proceedings, proceedings under the Extradition and the European Arrest Warrant Act, and proceedings regarding compulsory measures were never suspended.

On 09.04.2020 amendments entered into force and envisioned a detailed list of judicial procedures that had to continue to be carried on, irrespective of the State of Emergency. Most of these procedures were regulated by the Criminal Procedure Code, but some were of civil nature, such as child custody, protection from domestic violence, as well as injunction proceedings for securing claims. Many administrative proceedings were also on the list, such as the appeal of administrative sanctions, the appeal of the pre-emptive enforcement of an administrative act, and the appeal of detention of a person who is held in police custody.

3.2. Limitation periods and terms in statutory acts with the expiry of which for private persons certain rights are terminated or certain obligations arise. The terms under the Criminal Code and the Administrative Offenses and Penalties Act did not cease running, but these exceptions were removed with the amendments from 09.04.2020.

3.3. The terms for complying with instructions provided by an administrative authority to parties or participants in proceedings were also suspended. The terms in the Act on Management of Funding from the European Structural and Investment Funds were excluded, but with the amendments from 09.04.2020, the suspension of the terms was repealed.

3.4. The terms under Chapter Five, Sections I and III, Chapter Eight, Section V, Chapter Ten and Chapter Twelve, Sections I, II and IV of the Counter-Corruption and Unlawfully Acquired Assets Forfeiture Act, with the exception of Art. 38, para. 1, item 2 thereof.

3.5. The terms under Art. 175c, para. 1-3 of the Judiciary System Act, with the exception of Art. 175c, para. 1, item 2 thereof.

### **4. Some terms were extended by a one-month period, calculated from the end of the State of Emergency:**

- terms specified by law, other than those mentioned in IV.3., which expired during the State of Emergency and were related to the exercise of rights or the fulfilment of obligations of private entities;
- the effect of the administrative acts which were limited in time and expired during the State of Emergency.

On 17.04.2020 an amendment entered into force, stating that this extension does not apply to a specific list of proceedings. Notable amongst them are the proceedings under the Act on Management of Funding from the European Structural and Investment Funds, State Property Act, Municipal Property Act, Farm Lands Ownership and Use Act, Protection of Competition Act, Spatial Development Act.

Other provisions in the AMADSE envision for many terms in the Corporate Income Taxation Act and the Income Taxes on Natural Persons Act to be extended, most of them until 30 June 2020.

## 5. Enforcement proceedings

These provisions of the AMADSE entered into force on **24.03.2020**.

Public sales and entries into possessions, announced by enforcement agents, were suspended. The AMADSE stated that after the State of Emergency is lifted, they were to be re-scheduled, without calculating new fees and charges. An **amendment from 14.05.2020** extended the suspension for a period of two months after the end of the State of Emergency. The amendment also specified that the rescheduling was not carried out ex officio by the enforcement agent, but only at a request from the creditor.

From 24.03.2020 onwards, the distraint on bank accounts of natural persons and health care establishments was forbidden, as well as on salaries and pensions, security measures on medical apparatus and equipment. The inventory of movable property and real estate owned by natural persons, except for alimony obligations, damages from delicts, and claims for salaries, was also forbidden. The amendments from 14.05.2020 extended these prohibitions for a two-month period after the end of the State of Emergency.

An amendment from 09.04.2020 specifically stated that the enforcement proceedings were not to be suspended when enforcement is sought for the obligation to transfer a child after custody which has been won in a civil case.

## 6. Notaries

The notarial proceedings were limited for the duration of the State of Emergency. Only urgent notarial proceedings were allowed, in compliance with the health and hygiene requirements. The Notary Chamber had to provide on-duty notaries with a ratio of at least one notary per 50 000 inhabitants for a respective region.

## 7. Delayed payments

The legal consequences of the delayed payments did not apply to obligations of private persons, including interest and penalties for delays, as well as non-monetary consequences such as early chargeability, contract termination, and seizure of property.

On **09.04.2020**, an amendment **completely edited this provision**, stating that until the State of Emergency is over, in cases of delay of payment of private persons, debtors under credit agreements, and other forms of financing (factoring, forfeiting, etc.), provided by banks and financial institutions under Art. 3 of the Credit Institutions Act, including when claims have been assigned/transferred from other banks, financial institutions or third parties, and in cases of leasing contracts, **no interest for delay and penalties are to be charged**, the obligations cannot become early chargeable, a contract cannot be terminated due to a breach, and items cannot be seized.

The provision was once again amended on **14.05.2020**, to also apply two months after the State of Emergency has ended.

## 8. Rent and use of public property

From 09.04.2020 onwards public authorities representing the Bulgarian state or municipalities were allowed to lower the price of rent of their rented properties or to even completely forgo payments if the tenant's activity has been limited or suspended due to the measures and restrictions caused by the State of Emergency.

An amendment from 14.05.2020 allowed this to continue for two months after the State of Emergency has ended.

## 9. Employment relations

The AMADSE established new regulations regarding employment law, while also directly amending parts of the Labour Code („LC“). Subsequent changes in the LC also followed.

Depending on the specific nature of the work, whenever it was objectively feasible, the employers and the appointing authorities were given the right with an order to **unilaterally assign the work to be carried out at home or remotely** by their employees, even without their consent. The terms and conditions for the assignment, performance, and control had to be determined by an order of the employer or the appointing authority. An amendment from 14.05.2020 established that this was to continue not only for the duration of the State of Emergency but also for the duration of the **Emergency Epidemic Situation**, which began on with the end of the State of Emergency on 14<sup>th</sup> May 2020 and is currently supposed to end on 31<sup>st</sup> January 2021.

Employers were allowed with an order to completely or partially **suspend the work** in their enterprise, or the work of particular employees for a part or the whole duration of the State of Emergency. In those cases, the employers were allowed to give these employees their annual paid leave, even without their consent and even if an employee lacks the usually needed 8-month work experience. For the duration of the time that his work had been suspended, the employee was still entitled to its regular remuneration.

During the State of Emergency and later on during the Emergency Epidemic Situation the AMADSE gave the employers **the right to impose the transition into part-time** working hours for all of their employees.

**Employers** and appointing authorities **were allowed to use up to one-half of the paid annual leave** of the employees, even without their consent. Employers were **obliged to permit the paid an non-paid leave** if such was demanded from: a pregnant employee, or one in an advanced-stage of in-vitro fertilization procedure; mother or an adoptive mother of a child below 12 years of age, or a child with disabilities, irrespective of its age; a father or an adoptive father, who is a single parent of a child below 12 years of age, or a child with disabilities, irrespective of its age; an employee below 18 years of age; an employee with 50 and more than 50 percent of permanently reduced ability to work/ type and degree of inability.

After 01.01.2021 the unpaid leave for a period of up to 60 days will be acknowledged as work experience. During the year 2021 up to 30 of those days will be acknowledged as contributory service.

The AMADSE was supplemented on 20.11.2020 by stating that an employee, who was in **close contact with a confirmed case of COVID-19**, shall begin to **work remotely or at home**, if the nature of the work allows it, for the term, determined in the quarantine act, by declaring in writing to the employer, respectively to the appointing body about the occurrence.

The restrictions on overtime work and its duration did not apply to part-time employees, who provided or supported the provision of medical assistance, and to civil servants, respectively, who, as per their job description or under a manager's instruction, supported the provision of medical assistance. Police authorities and the fire safety and protection of the population authorities could work overtime above their usual restrictions, but only after explicit written consent has been given by the civil servant. Not providing consent did not give grounds for any disciplinary action.

## 10. Military

Servicemen of the Armed Forces, under the conditions and in the order determined by an act of the Council of Ministers, jointly and/or in coordination with other administrative bodies, were allowed to participate in the implementation of anti-epidemic measures. They were given the rights to:

1. carry out checks on the identification of a person;

2. until the arrival of the administrative bodies of the Ministry of the Interior, restrict the movement of any person for whom there is evidence that he has refused or fails to comply with the measures under Art. 61 and 63 of the Health Act, drafting a bilateral written protocol;
3. stop vehicles until the arrival of the administrative bodies of the Ministry of the Interior;
4. restrict the movement of persons and vehicles at a checkpoint;
5. use physical force and aids only when absolutely necessary.

## 11. Social security

Some of the requirements for receiving certain social benefits did not apply. The term of the monthly family allowances which are granted on the basis of [Art. 7](#) and [Art. 8f](#) of the Family Allowances for Children Act, which expired between 1 February 2020 and the end of the State of Emergency, was extended until the end of the month, in which the State of Emergency was lifted.

To some families, whose children were to enrol in eighth grade at a state or a municipal school for the 2020-2021 school year, the "Social Assistance" Directorate would grant a one-time allowance to cover part of the expenses at the beginning of the school year.

Many terms in the Social Security Code were temporarily suspended and/or extended. Regarding several proceedings in that code, it was explicitly stated that the non-pronouncement in term would not be considered to be a tacit refusal.

## 12. Public procurement

The AMADSE completely excluded from the scope of the Public Procurement Act the following:

1. purchase by the contracting authorities of hygienic materials, disinfectants, medical devices, and personal protective equipment necessary for the provision of anti-epidemic measures;
2. purchase of medical devices, medical and laboratory equipment necessary for the diagnosis and treatment of infected patients, consumables thereof, as well as activities related to their introduction; on 18.07.2020 the services regarding taking samples and reporting the results were also added;
3. the assignment of activities for disposal of pesticides and hospital waste in accordance with Ordinance № 1 on the requirements for the activities of waste collection and treatment on the territory of medical and health establishments (promulgated SG 13/2015; amended SG 102/2018).

The **14.05.2020** amendments established that this would continue for a two-month period after the end of the State of Emergency. The amendments from 18.07.2020 extended this, stating that this regime would continue for a three-month period after the end of the **Emergency Epidemic Situation**, which began on with the end of the State of Emergency on 14<sup>th</sup> May 2020 and is currently supposed to continue at least until 31<sup>st</sup> January 2021. With these amendments, the transport services were also excluded from the scope of the PPA for the same duration.

Regarding the public procurement contracts, the AMADSE stated that at the request of the contractor, the deadline for performance could be renegotiated, but not more than for the duration of the State of Emergency.

## 13. Pharmacies and pharmaceuticals

Pharmacies were allowed to dispense medicinal products only on a prescription booklet, without the need for a prescription to be presented, only on the basis of the data on dispensed medicinal products recently entered in the prescription booklet, under the conditions and in the order determined by the National Health Insurance Fund, up until the lifting of the State of Emergency and two months following that.

## 14. European Structural and Investment Funds

Until the end of the State of Emergency, the managing bodies of these funds had the right to amend unilaterally grant contracts in accordance with the need for crisis measures, including increasing the amount of the contracted grant and to award grants under simplified rules, including without the publication of a call for the proposals. Many other specific changes were envisioned in Art. 21 of the AMADSE.

## 15. Measures Against Money Laundering Act

Entering into force on 09.04.2020 many terms in the Measures against Money Laundering Act were suspended for the duration of the State of Emergency. This included the terms for adopting internal rules for control and prevention of money laundering and financing of terrorism, and for establishing specialized services, which prepare, offer for confirmation, and fulfil training programs of the employees on the implementation of this Anti-Money Laundering Act.

## 16. Tourism

The AMADSE was supplemented on 09.04.2020 stating that a tour operator, who had to reimburse a traveller for a pre-paid travel trip that was cancelled, due to the State of Emergency, may offer the traveller a voucher for the amount paid. If the traveller does not accept the voucher and, in the absence of another replacement package agreement between the tour operator and the traveller, the tour operator shall reimburse the traveller within 1 month from the date of the cancellation of the trip, all payments received by the traveller or on his behalf.

An amendment from 14.05.2020 extended the reimbursement period to up to 12 months.

An amendment from 11.08.2020 stated that this provision is to apply onwards only when a trip has been cancelled until December 31<sup>st</sup>, 2020, due to the spread of COVID-19.

Allowance for the use of basic tourist services for domestic tourism in the amount of 210 BGN was provided to doctors, medical and non-medical specialists, and other public officials that are first responders.

## 17. Validity of documents

The period of validity for the residence documents of foreigners and their family members was extended with 6 months in the cases where the period of validity ended between March 13<sup>th</sup> and October 31<sup>st</sup>, 2020, which was later amended to January 31<sup>st</sup>, 2021. The same applied for the ID cards and passports of Bulgarian citizens, while the validity of driver licenses issued in Bulgaria was extended by 7 months.

## V. HEALTH ACT

**The first amendments in the Health Act were with the adoption of the AMADSE.** Parts of the amendments were about the mentioned expansion of the powers of the Minister of Healthcare, for example, he was allowed to issue orders which establish the compulsory isolation and the treatment of persons, irrespective of the specific disease from which they suffer. He was also allowed to prohibit foreigners who don't have a residence in Bulgaria to enter the country during the State of Emergency and the Emergency Epidemic Situation.

It was explicitly established in the HA that the appeal of the individual administrative act which quarantines a person, does not suspend the execution of those acts, meaning that once quarantined, the quarantine was obligatory for the individual, even though the act which imposed it had not yet entered into force, due to an appeal.

The violation of anti-epidemic measures was to be sanctioned with a fine of 5000 BGN, in the cases where the violation does not in itself constitute a crime. The fine for sole traders and legal entities was 15 000 BGN. Violation of quarantine was to be sanctioned with a 5000 BGN fine. Individuals, who were in contact with a person suffering from COVID-19, were also to be put under quarantine. A separate penalty of 50 to 500 BGN was envisioned for them, should they deny to be tested for SARS-CoV-2. The amendments in these provisions were examined in Article 1.2. Administrative sanctions.

## VI. SUBSEQUENT ORDERS OF THE MINISTER OF HEALTHCARE

The Order of the Minister of Healthcare was amended multiple times with many consecutive orders. **Currently, the number of orders which the minister has issued is over 160.** This made the legal regime of the measures very unpredictable and difficult to ascertain which exact measures applied at a particular moment.

Originally, the order from 13.03.2020 was meant to stay in force only until 29.03.2020, but this was amended with subsequent orders and its measures were in effect until 13.05.2020.

An order from 16.03.2020 established a list of countries from which foreigners were prohibited to enter Bulgaria. This list was constantly updated during 2020, for example, currently flights between Bulgaria and the UK are banned until 31.01.2021, due to the new coronavirus strain, spreading in parts of the UK. People working as drivers, who had to cross the borders to perform their duties were separately regulated, in some cases they were obliged to quarantine themselves, but allowed to leave their homes only to execute their obligations under their employment contracts.

On 20.03.2020 individuals were forbidden from entering public parks and city gardens. People under the age of 60 were not allowed in grocery stores and pharmacies from 8:30 to 10:30 AM. To temporarily limit the movement of individuals inside Bulgarian borders, and checkpoints were established between the territories of cities that are the administrative centres. Individuals were allowed to pass the checkpoints only for certain reasons – to perform work duties, for health reasons, and others.

On 22.03.2020 restaurants and fast-food restaurants were prohibited from allowing the customers to consume their food on the premises.

For a brief period of fewer than 48 hours on 30<sup>th</sup> and 31<sup>st</sup> March, a mask mandate was established in all public places. This was quickly repealed due to mass mask shortages at that time. Later on, from 11.04.2020 a nationwide obligatory mask mandate was in effect for both open and closed public spaces. On 01.05.2020 an order established that in open public spaces citizens had to wear a mask only if they were unable to maintain social distance.

The minister's anti-epidemic measures were to continue until 13 May 2020.

At midnight between 16.04.2020 and 17.04.2020, an order of the minister entered in force, instituting a city-wide lockdown of Sofia, Bulgaria's capital. Entering and leaving the city was prohibited. There were several exceptions, such as freight transport, people in need of medical treatment, and others. Several districts of Sofia were also under similar lockdown, which was lifted at the end of April.

On 27.04.2020 public parks and gardens were partially opened for certain individuals such as dog owners and parents with their children under the age of 12, but the individuals still had to obey social distancing rules and wear face masks.

On 01.05.2020 **face masks were no longer mandatory in open public spaces** unless the situation did not allow keeping social distance. National parks were also opened.

On 06.05.2020 **visits were allowed to open-air commercial areas (gardens, terraces, etc.) of restaurants, fast food restaurants, drinking establishments, and coffee shops**, by following anti-epidemic measures:

- Obeying social distancing by having at least 1,5 meters between the tables and having maximum of 4 persons on a table, unless they share a household.
- The staff of the venue was obliged to wear protective face masks or helmets;
- the tables and chairs were to be cleaned and disinfected every hour;
- disinfectant dispensers were to be placed for the customers;
- it was recommended that the staff wears gloves;

**The restrictions for moving between different regions in Bulgaria were lifted, and the checkpoints were removed.** Courses and education were allowed regarding specific qualifications in the transport industries such as cars, trains, airplanes. Individual sporting activities were allowed in public spaces, under the condition that the athletes kept social distance of 2.5 m. Visits to swimming complexes and pools were allowed, but only under strict guidelines and regulations.

All citizens were allowed to visit grocery stores and pharmacies at any time, as the restrictions for young people were lifted.

Restrictions were still in place for foreigners who want to enter Bulgaria by coming from a list of countries.

On 11.05.2020 the visits to museums, galleries, and libraries were allowed, still by obeying social distancing and strict anti-epidemic measures. Concerts, theatres, and other scenic arts were allowed, as well as cinemas, but only operating under 30 % capacity. Collective non-competitive sports (football, basketball, volleyball) were allowed, but a without having an audience, and with only up to 10 participating athletes.

**On 13.05.2020 the State of Emergency ended and on 14.05.2020 the government declared the beginning of the Emergency Epidemic Situation.** People crossing the border were still to be put under a 14-day quarantine.

On 18.05.2020 shopping malls and gyms were allowed to open once again, by obeying certain regulations. On 22.05.2020 kindergartens opened as well. On 30.05.2020 conferences, congresses, seminars, and exhibitions were allowed to be held at 30% capacity.

**On 01.06.2020 the mandatory quarantine was removed for people crossing the borders between Bulgaria, Serbia, North Macedonia, and some countries from the EU.**

On 05.06.2020 soccer games were allowed to be held with a public present, on the condition that the stadiums operate on 30% capacity, and obey some rules for social distancing between members of the public.

On 15.06.2020 night clubs, bars, and piano bars were allowed to open, while still obeying anti-epidemic measures.

On 26.06.2020 theatres, concerts, scenic performances, dancing and musical arts were allowed on closed spaces by operating on 30% capacity and in open spaces on 50%.

In October different Bulgarian municipalities enacted their own anti-epidemic measures. The minister updated his order on 22.10.2020. Mask usage became obligatory again in public spaces, should it not be possible for people to keep social distance. On 25.10.2020 bars, clubs, and discos were closed in Sofia. This measure was also implemented in Blagoevgrad, Pernik, Sliven, Shumen, and Gabrovo. On 29.10.2020 universities, once again suspended in-person teaching activities and fully implemented online education.

On 07.11.2020 Sofia municipality prohibited for children of less than 18 years of age to visit shopping malls, without a guardian, or other adult supervision. Grocery stores were obliged to only allow people over the age of 65 to enter between 10:00 and 12:00 AM.

On 12.11.2020 the Minister of Healthcare implemented new anti-epidemic measures. Specific hours were established in which grocery stores and pharmacies were to only allow people above the age of 65 to enter. Night bars and nightclubs were closed. Restaurants, fast-food restaurants, bars, coffee-confectioneries were allowed to work only between 06:00 AM and 23:30 PM. For the remaining hours, they were allowed only to do home deliveries. Most of the planned operations were once again forbidden.

## VII. SECOND LOCKDOWN AND CURRENT MEASURES

### 1. [Order № RD-01-677 from 25.11.2020](#), Amend. and suppl. with [Order № RD-01-718 from 18.12.2020](#)

The new measures were set forth with [Order № RD-01-677 of 25.11.2020](#) of the Minister of Healthcare, which came **in force from 23:30 of 27.11.2020** and was envisioned to apply until 21.12.2020.

**On 22.12.2020 [Order № RD-01-718 from 18.12.2020](#) entered into force. It amended some measures, supplemented others, and stated that most of these measures will stay in effect at least until 31.01.2021.**

From 27.11.2020 until 31.01.2021 all in-person educational activities and classes are suspended (including internships, classes outside the classroom, exams, dual training system, etc.) in the schools and in personal development support centres. The same applies to higher education. There will be an exception from 04.01.2021 until 31.01.2021 for students from first, second, third, and fourth grade, who will then be allowed to attend in-person educational activities and classes. Regarding higher education, state exams will be allowed to be held from 04.01.2021 until 31.01.2021. Kinder gardens will re-open from 04.01.2021 onwards.

The holding of congress-conference events, seminars, competitions, trainings, team buildings, exhibitions, and other public in-person events is prohibited. The second order allowed, at least until 31.01.2021, for competitions to be held under the Labour Code, the Civil Servant Act, the Academic Staff Development Act in the Republic of Bulgaria and other special laws.

All cultural and entertainment events (cinemas, museums, galleries, stage events, concerts, classes in dance, creative and musical arts, etc.) are suspended. An exception allows theatres to be open, if the seats which are occupied are only up to 30% of their total capacity, with the observance of a physical distance of at least 1.5 m and obligatory placement of protective face masks. From 04.01.2020 museums and galleries will be allowed to re-open at 30% capacity, if the visitors obey 1.5 m social distance and wear face masks.

It is not allowed to organize and hold gatherings and celebrations of private nature (weddings, baptisms, funerals, etc.) with more than 15 individuals present. Currently, this prohibition is meant to last until 31.01.2021.

Until 21.12.2020 all collective and individual sports events of training and competitive nature for people under the age of 18 were suspended, except for international sports competitions, which have already started. The sports events of a training and competitive nature for persons over 18 and international sports competitions for persons under 18 were to be held without an audience.

Regarding collective sports, from 22.12.2020 until 31.01.2021 sporting events of training or competitive nature are prohibited for people under 18. This restriction doesn't apply to athletes, who are filed in a sports federation. Regardless of the age of the participants, all sports competitions will be held without an audience.

Fitness centres, group exercise halls, gambling halls, and casinos will remain closed until 31.01.2021.

Prohibited until 31.01.2021 are the visits to shopping centres (representing one or more buildings in which shops, restaurants, and other commercial sites are located) and shopping centres type "mall", **except for** grocery stores, hospitals, pharmacies, drugstores, opticians, pet stores, banks, insurance offices, payment service providers, the offices of telecommunications operators, and other communication service providers in them.

The visits to dining and entertainment establishments within the meaning of Art. 124 of the Tourism Act remain forbidden until 31.01.2021. Only deliveries or take-away for home and office are allowed. After 22.12.2020 an exception was made for accommodation places, which were allowed to operate only with guests, at 50% capacity and only between 06:00 AM and 10:00 PM.

Prohibited are group tourist trips (excursions) with organized transport in the country and abroad and group visits to tourist sites in the country.

All natural and legal persons who own or manage commercial, administrative or other sites that provide services to citizens, and whose activities are not suspended by the order of the minister, have to create an organization to control the number of customers, not allowing more than 1 person per 3 sq. m.

All markets, marketplaces, and bazaars must be organized in a way to maintain one-way traffic and provide a distance of at least 1.5 m between visitors. Workers and visitors are required to wear a face mask.

Employers are advised to organize the work process in such a fashion as to allow **wherever possible** the employees to work remotely (teleworking/home office), while maintaining a maximum of 50% of the staff the present at the premises.

Grocery stores do not allow people under the age of 65 to enter between 8.30 and 10.30 AM.

Hospitals and complex oncology centres are obliged to use 20 % of their declared number of hospital beds strictly for COVID-19 patients. Planned medical operations are limited. Organ, tissue, and cell transplantation is allowed, as well as rehabilitation, and psychiatric care. Visitations to hospitals are prohibited, except for visiting terminally ill patients.

## 2. [Order № RD-01-675 of 25.11.2020](#)

Another set of anti-epidemic measures were established with Order № RD-01-675 of 25.11.2020 of the Minister of Healthcare, which came into force on 27.11.2020 and is envisioned to be applied until 31.01.2021. **At the moment, this order remains unamended and unrepealed, meaning that all of these measures are still currently applicable and in force.**

Again, remote work and home office are advised, whenever possible, as well as implementing work shifts.

When serving customers directly, it is mandatory to maintain a distance of at least 1.5 meters and to use face masks or safety helmets. Alternatively, mechanical partitions made of glass or other transparent material can be used between the employees and the customers.

All persons must have a protective **face mask** for single or multiple uses or other means covering the nose and mouth (including a towel, scarf, helmet, etc.), used in accordance to the recommendations in the order, when **in closed public places**, including public transport, medical and health establishments, pharmacies, opticians, national centres for public health, administrative institutions and other places which service citizens or that the citizens can access, railways and bus stations, airports, metro stations, shops, churches, monasteries, temples, museums, etc.

**In open public places**, if there is a crowd of people and it is impossible to keep a physical distance of 1.5 m, people are obliged to wear a protective **face mask** for single or repeated use or to cover their nose and mouth with other means (including towel, scarf, helmet, etc.). In open public spaces persons who aren't of the same family or don't share a household are obliged to keep a physical distance from each other of at least 1.5 m.

Face masks are not mandatory in some cases such as: customers in restaurants and drinking establishments; outdoor and indoor athletes during physical activity; the participants in congress-conference events, briefings, press conferences, and seminars during a speech (lecture, presentation, etc.) while observing a physical

distance of 1.5 m from the other participants; the participants (presenters and guests) in TV shows while observing a physical distance of 1.5 m from the other participants; children up to 6 years of age.

### 3. Traveling from abroad. Traveling from the United Kingdom and North Ireland.

Order RD-01-680 of 27.11.2020 temporarily prohibited certain foreigners from entering Bulgaria and determinates the people who need to provide evidence for a negative PCR test in order to enter the country. On 20.12.2020 that order was repealed by [Order RD-01-719 of 20.12.2020](#), which currently regulates these matters and is envisioned to stay in force until 31.01.2021. That order originally stated that people entering Bulgaria from the UK or North Ireland must be quarantined for 10 days.

Due to the new coronavirus strain, a subsequent [Order RD-01-720 of 20.12.2020](#) regulated specifically the status of the **people whose journey began from the UK or North Ireland**, making the previous order inapplicable for them. **Currently, those individuals are temporally forbidden from entering Bulgaria from 21.12.2020 until 31.01.2020.** Order RD-01-720 of 20.12.2020 allowed only Bulgarian citizens, long-term residents, and their families to enter the country, but should they do so, they will be quarantined for 10 days. That order was repealed with [Order RD-01-721 of 21.12.2020 which currently regulates the matter](#) in a similar fashion, but provides a **detailed list of exceptions**, which allow people with certain professions to enter Bulgaria from the UK and North Ireland.

Order RD-01-720 of 20.12.2020 allowed only Bulgarian citizens, long-term residents, and their families to enter the country, but should they do so, they will be quarantined for 10 days. That order was repealed with [Order RD-01-721](#) of 21.12.2020 which briefly regulated the matter in a similar fashion, but provided a **detailed list of exceptions**, allowing people with certain professions to enter Bulgaria from the UK and North Ireland.

That order was repealed by [Order RD-01-725 from 23.12.2020](#) which entered into force on 24.12.2020. **It allowed Bulgarian citizens, long-term residents, their families, and a list of people of certain professions to enter the Republic of Bulgaria from the UK or North Ireland.** Unless they provide documentation for a negative PCR test, done within the last 72 hours, these people would be subjected to 10-day quarantine. If they enter Bulgaria by airplane, they will have to do a rapid antigen test. Should the test be negative, they are to be quarantined for 10 days. If the test is positive, then they are to be quarantined for 14 days. This doesn't apply to people of certain professions. **After 01.01.2021 the need for testing and quarantine will not apply, should documentation be provided for a negative PCR test, done within 72 hours of arriving in Bulgaria.** If a person doesn't provide such documentation, he is to be subjected to 10 days of quarantine.

### 4. Vaccination

[Order RD-01-726 from 23.12.2020](#) was adopted to implement the [National plan for vaccination against COVID-19 in the Republic of Bulgaria](#). The immunization campaign began on 27.12.2020 and will initially prioritize the groups of people in phase I-V of the National plan – I. *medical personnel*, incl. dentists and pharmacists; II. *social workers, users of social services, mink farm workers*; III. *Employees involved in maintaining the function of essential public life activities*; IV. *People over the age of 65, a percentage of people between 45 and 65, and immunocompromised persons*; V. *vulnerable groups of the population due to the high epidemiological risk of infection associated with their living conditions and lifestyle.* The order regulates the way the vaccine is stored. Currently, the **vaccination is not mandatory**. A person will have to give his informed consent before he is vaccinated. The order states that the vaccination is “recommended”, **free of charge**, and will be carried out in accordance with Art.11 of the [Ordinance №15 from 2005](#) for immunizations in the Republic of Bulgaria.

*\*This text does not constitute a legal advice and should not be taken into account in resolving legal disputes, but only to inform readers.*

**The team of Georgiev, Todorov & Co. Law Offices remains available for assistance and additional information related to the anti-epidemic measures.**