

STRUCTURAL REGULATIONS OF THE STATE AGENCY "STATE RESERVE AND WAR TIME RESERVES"

Prom. SG. 8/30 Jan 2004, amend. SG. 55/5 Jul 2005, amend. SG. 78/30 Sep 2005, amend. SG. 89/8 Nov 2005, amend. SG. 40/16 May 2006, amend. SG. 48/13 Jun 2006, amend. SG. 23/16 Mar 2007

Chapter one. GENERAL PROVISIONS

Art. 1. The regulation shall determine the structure, the functions and the number of personnel of the administration, as well as the organisation of the work of the State agency at the all structures of the Council of Ministers, called hereinafter "the agency".

Art. 2. (1) State agency "State agency reserve and war-time reserves" shall be specialised body at the Council of Ministers for conducting of the state policy in the field of planning, creating, protection, preservation, updating, maintenance, releasing, using, accounting, financing and controlling of the state reserves and the state reserves and the war-time reserves of the country in compliance with the interests of the national security.

(2) The agency shall implement the state supervision over the establishing, the preservation, the use and the restoration of the obligatory reserves oil and oil products under the Law of the obligatory reserves of oil and oil products.

(3) The agency shall be corporate body with budget maintenance and headquarters Sofia, address 3 Moskovska str.

(4) (amend. SG 78/05, amend. SG 89/05) The chairman of the agency shall be secondary administrator with budget credits at the Minister of State Policy at Disasters and Accidents.

Art. 3. (1) (prev. text of Art. 03 – SG 23/07, in force from 16.03.2007) The Agency shall support the chairman at exercising his/her powers.

(2) (new – SG 23/07, in force from 16.03.2007) The Agency shall provide the administrative and technical servicing of the State and War-Time Reserves Council at the Interdepartmental council for Military and Industrial Complex and Mobilisation Readiness of the State.

Chapter two. AUTHORITIES OF THE CHAIRMAN

Art. 4. The chairman of the agency shall be determined with a decision by the Council of Ministers and shall be appointed by the Prime Minister.

Art. 5. (1) The chairman of the agency shall organise and manage the activity, and represent the agency.

(2) The chairman shall:

1. participate in the conducting of the state policy in the field of planning, creating, preservation, protection, updating, maintaining, releasing, using, accounting, financing and controlling of the state reserves and the war-time reserves of the country in compliance with the interests of national security;
2. exercise control over the overall activity of the agency;
3. participate in the planning, organise and manage the creating, the preservation, the accounting, the renewal, maintenance, the release, the preservation and the use of the state reserves and the war-time reserves according to nomenclature lists, approved with a decision by the Council of Ministers;
4. organise and manage the implementing of investigations of the needs for state reserves in the country and propose the nomenclature lists and the norms for them for approval to the Council of Ministers;
5. take decisions for conducting of procedures for assigning of public procedure orders and tenders in compliance with the acting legislation, as well as conclude contracts with individuals and corporate bodies;
6. (amend. – SG 23/07, in force from 16.03.2007) release state reserves and war-time reserves according to his competence;
7. issue rulings for use of the obligatory reserves of oil and oil products;
8. approve methodology for determining of the quantity ratio between the separate components of the obligatory reserves of oil and oil products;
9. register storehouses for preservation of obligatory reserves of oil and oil products;
10. determine the level of the obligatory reserves for each of the obliged persons;
11. organise and implement control of the overall activity for creating, use, preservation and restoration of the obligatory reserves of oil and oil products with objective ensuring the supply with liquid fuels in the cases of difficulties for their supply in the country, as well as on the activity of the producers, the importers and the preservers of oil and oil products;
12. approve plans for intervening in case of difficulties in the supply with oil and oil products;
13. organise the preservation of the technical documentation from Bulgarian developments and license technical documentation without having author's copyright, for production and repair of military and special production, which is connected with the fulfilment of tasks for the defence of the country (war-time tasks);
14. approve general technical requirements and requirements for safety and exploitation, which shall be met by the storehouses for preservation of the obligatory reserves;
15. organise the activities for international co-operation. European and Euro-Atlantic integration;
16. (amend. – SG 23/07, in force from 16.03.2007) approve the structures of the separate units and the list of positions in the agency;
17. appoint the civil servants, change and terminate the official legal relations with them; conclude, change and terminate the legal relations of employment with the persons, working in the agency;
18. commission the employees in the agency;
19. (amend. – SG 23/07, in force from 16.03.2007) issue internal acts and rules for work at the agency;
20. manage and be responsible for the work of the inspectorate;

21. organise and control the activity for the defence – mobilisation preparation and the preparing of plans for bringing the activity from war to peace to war-time activity of the agency;

22. manage, organise and control the activity for protection of the classified information;

23. (amend. – SG 23/07, in force from 16.03.2007) issue individual administrative acts within the framework of his competence;

24. issue punitive decrees upon established breaches in the cases, defined with a law;

25. (amend. – SG 23/07, in force from 16.03.2007; amend. – SG 23/07, in force from 16.03.2007) annually provide information under Art. 8, para 2 of the Law on the Obligations to the International Fund for Compensation for Oil Pollution Damage, and control the fulfilment of the obligations under the said Law;

26. (new – SG 23/07, in force from 16.03.2007) establish councils as consultative units for solving problems of its competence, as well as working groups for proposing and fulfilment of specific tasks;

27. (new – SG 23/07, in force from 16.03.2007) present annually at the Council of Ministers a report as per Art. 49 of the Law for the Administration regarding the activity of the agency.

28. (prev. text of item 25 – SG 55/05, in force from 05.07.2005; prev. text of item 26 – SG 23/07, in force from 16.03.2007) perform other functions, regulated with a law or a normative act or assigned with by the Council of Ministers.

(3) (amend. – SG 23/07, in force from 16.03.2007; suppl. - SG 23/07, in force from 16.03.2007) At implementing of his functions the chairman shall be supplemented by a deputy chairman, who shall be appointed by the Prime Minister. The chairman shall delegate with an order authorities to the deputy chairman. The functions of the chairman in his/her absence shall be performed by the deputy chairman to an extent, determined by an order regarding each individual case.

Chapter two.

"A" POLITICAL OFFICE (NEW – SG 23/07, IN FORCE FROM 16.03.2007)

Art. 5a. (new – SG 23/07, in force from 16.03.2007) (1) The chairman shall establish under his/her direct subordination a political office, which shall be an organisational structure with consultative, control and informational analytical functions. The political office shall assist the chairman in determining and implementation of the government policy in the sphere of management of state and war time reserves, as well as in its presentation before the society

(2) In fulfilment of the functions under para 1 the political office shall propose to the chairman for approval strategic priorities, objectives and decisions, related to his/her competence, and shall see to their fulfilment.

(3) In the political office shall be included the deputy chairman and the expert in charge of the human relations.

Chapter three.

ORGANISATIONAL STRUCTURE OF THE ADMINISTRATION

Art. 6. (1) (suppl. SG 55/05; suppl. - SG 48/06, in force from 01.05.2006; amend. – SG 23/07, in force from 16.03.2007) The agency shall be organised in directorates, chief directorate, internal audit unit and inspectorate.

(2) The chairman can establish at the directorates of para 1 divisions and at the divisions – sectors.

(3) (amend. - SG 40/06, in force from 01.04.2006; amend. - SG 48/06, in force from 01.05.2006) The total number of the staff in the organisational structures and the administrative units of the agency shall be 791, in this number the chairman of the agency.

(4) The number of the staff of the separate organisational structures and administrative units is pointed out in the appendix.

Chapter four. FUNCTIONS OF THE AGENCY

Section I. Chief secretary

Art. 7. The chief secretary shall implement the administrative management of the agency in fulfilment of the lawful orders of the chairman of the agency.

Art. 8. (amend. – SG 23/07, in force from 16.03.2007) (1) The chief secretary shall:

1. provide the organizational connection between the chairman and the administrative units at the agency;

2. manage, co-ordinate and control the functioning of the general and the specialised administration for the precise observing of the normative acts and the lawful orders of the chairman;

3. be responsible for the planning and the accountancy at fulfilment of the annual objectives of the administration;

4. prepare proposals for the structure of the separate units and the list of positions at the agency and approve the job descriptions;

5. manage the human resources activity;

6. organise and control the operations related to documents and the keeping thereof;

7. propose to the chairman for approval the costs related to the administration management;

8. control the conducting of procedures for assigning public procurement and for sale of state and war-time reserves;

9. approve internal rules for organisation of the administrative servicing at the agency and exercise control over the observing thereof;

10. prepare annual report for the status of the administration as per Art. 62, para 1 of the Law for the Administration, which shall be presented to the Minister of State Administration and the Administrative Reform following an approval by the chairman;

8. control the registration office and the turnover of documents;

9. be responsible for the working conditions of the administration and its organisational – technical servicing;

10. organise and control the use of the motor vehicles – ownership of the agency;

11. fulfil also other tasks, assigned to him/her by the chairman.
- (2) Upon absence of the chief secretary his/her functions shall be fulfilled by a director of directorate authorised by the chairman regarding each individual case.

Section I.

"A" Internal Audit Unit (New – SG 48/06, in force from 01.05.2006)

Art. 8a. (new - SG 48/06, in force from 01.05.2006) (1) The internal audit unit shall be in a direct subordination to the Chairman of the Agency and shall carry out internal audit under the Law of the Internal Audit in the Public Sector.

(2) The unit referred to in para 1 shall carry out its activity of internal audit of all structures, programmes, activities and processes in the Agency, including the administrators of funds of the European Union and of the administrators of budget credits of lower degree to the Chairman of the Agency, in accordance with Art. 13 of the Law of the Internal Audit in the Public Sector.

(3) The unit under para 1 shall report through the Head of the internal audit directly to the Chairman of the Agency..

(4) The unit under Para 1 shall:

1. plan, carry out and report the activity of internal audit in accordance with the requirements of the Law of the Internal Audit in the Public Sector, the standards of internal audit, the Ethic Code of the Internal Auditors, the statute of the internal audit and the approved by the Minister of Finance methodology of internal audit in the public sector;

2. draft on the base of the risk assessment the three-years strategic plan and an annual plan of his activity, which shall be approved by the Chairman of the Agency, and the annual plan shall be coordinated with the annual plan of the internal audit unit of the Ministry of State Policy in Disasters and Emergency ;

3. draft an audit plan for each audit engagement , which plan shall contain the range, purposes, duration and distribution of the resources of execution of the engagement, the audit approach and techniques, the type and the volume of the inspections;

4. provide to the Chairman an independent and impartial assessment of the status of the audited systems of financial management and control;

5. assess the processes of identification, assessment and management of the risk implemented by the Chairman of the Agency;

6. inspect and assess the adequacy of the activities to the legislation, the internal acts and contracts; the reliability and comprehensiveness of the financial and the operational information; the established organization for keeping the assets and the information; the effectiveness, the efficiency and economy of the activities; the performance of the tasks, the contracts, the committed engagements and the achievement of the purposes;

7. shall advise the Chairman upon his request by way of providing, advises, opinions, training, etc. with the purpose to improve the processes of risk management and the control, without undertaking managerial liability for this;

8. report and discuss with the Chairman and with the managers of the structures, whose activity is subject to audit, the results of each executed audit engagement and shall present an audit report;

9. give recommendations in the audit reports for improvement of the adequacy and the effectiveness of the systems of financial management and control, shall support the Chairman at the preparation of plan of action and shall execute inspections for tracing the performance of the recommendations;

10. draft and submit to the Chairman an annual report on the activity of performed internal audit in accordance with Art. 40 of the Law of the Internal Audit in the Public Sector.

11. provide the development of the professional qualification of the internal auditors and shall make contacts with the other internal audit units of the organisations of the public sector with the purpose of exchange of good practices.

Section II. Inspectorate

Art. 9. (suppl. SG 55/05; amend. - SG 23/07, in force from 16.03.2007) (1) The inspectorate shall be a detached unit in the structure of the agency, directly subordinated to the chairman.

(2) The inspectorate shall ensure the fulfilment of the control functions of the chairman over the activity of the agency and at conducting the state policy regarding the management of state and the war-time reserves and of the compulsory reserves of oil and oil products.

Art. 10. (amend. - SG 23/07, in force from 16.03.2007) The inspectorate shall:

1. analyse the efficiency of the administration's activity;
2. carry out planned checks according to an annual plan approved by the chairman, as well as other checks, assigned by the latter;
3. see to the observance of the internal rules of the organisation of work at the administration;
4. see to the accurate and lawful fulfilment of the orders of the chairman of the agency;
5. implement checks with regards to revealing, prevention and removal of breaches related to the activity of the agency;
6. consider and carry out checks upon received applications, appeals, signals, proposals etc., including against illegal or incorrect actions or inactions of officials from the administration, prepare answers and propose respective measures;
7. consider submitted signals for conflict of interests and carry out checks whether there are corruption acts in the administration;
8. control the observance of instructions, recommendations and directions, given by the competent authorities at carrying out checks and inspections;
9. may propose initiation of disciplinary proceedings in case breaches of the official duties or of the Code for the Conduct of the Employees in the State Administration have been found;
10. implement checks in storage bases and other sites of the agency, including external preservers, related to the way of preservation and protection of the state and war-time reserves as well as the long-term material assets – ownership of the agency;
11. implement the control over the fulfilment of the obligations of the producers and the importers of oil products and the preservers of oil and oil products for creating, preservation, use and restoration of the obligatory reserves under the Law of the Obligatory Reserves Of Oil And Oil Products;
12. propose to the chairman the sanctioning of officials for admitted omissions or breaches;

13. propose to the chairman to approach the competent authorities in case data for committed crimes is available;

14. participate in the development of the internal acts regulating the organization of the activity of the agency;

15. carry out other functions with regards to administrative control, ensuing from a legal act or assigned by the chairman.

Art. 11. (amend. SG 55/05; amend - SG 23/07, in force from 16.03.2007) The inspectorate shall draw up annual report, containing information for the results from the control activity carried out, as well as for the typical breaches of the financial and other discipline, analysing the reasons and the conditions for the breaches and propose measures for removing thereof.

Section III.

Protection of the classified information (revoked - SG 23/07, in force from 16.03.2007)

Art. 12. (amend SG 55/05; revoked - SG 23/07, in force from 16.03.2007)

Art. 13. (amend. – SG 55/05; revoked - SG 23/07, in force from 16.03.2007)

Section IV.

General administration

Art. 14. (1) (amend. - SG 23/07, in force from 16.03.2007) The general administration shall be organised in directorate "Financial and Economic Activities and Management of Property", directorate "Administrative – Legal Servicing and European Coordination" and directorate "Security and Defence and Mobilisation Training".

Art. 14a. (new - SG 23/07, in force from 16.03.2007) Directorate "Financial and Economic Activities and Management of Property" shall:

1. ground and fulfil the budget and the investment programme;
2. work out a project of annual budget of the agency;
3. be in charge of the overall financial and accounting servicing of the activity of the agency;
4. organise the formation of the resources for salary and see to their lawful spending;
5. provide the management and the other directorates with financial and accounting information;
6. provide the data and draw in monthly and quarterly reports on the cash fulfilment of the budget and compile annual financial statement;
7. see to the spending of the financial resources according to the approved budget and make proposals for corrections thereof where necessary;
8. implement checks and give methodical instructions about the financial activity of the territorial directorates;
9. exercise preliminary, current and subsequent financial control with regards to:

- a) the observing of the financial, budget and the payment discipline;
 - b) the correct forming of all primary and secondary accounting documents and their timely indication in the accounting registers;
 - c) the regular carrying out of planned and extraordinary stock taking;
 - d) the undertaking of obligations and the spending as well as the implementation of the double signature system;
10. be responsible for the keeping and the use of the accounting archive;
 11. organize and carry out the activities for keeping and management of the immovable properties conceded to the agency;
 12. develop a programme for capital expenses and summarize the data for the agency;
 13. be responsible for the observance the normative acts at exploitation and control the status of the buildings and the lifting – transport machinery and the technological equipment of the specialized storage bases;
 14. organize and control the repair activity for the buildings, the machines and the facilities, the construction of new sites, the supply of machines and facilities and the overall technical servicing of the transport vehicles of the agency;
 15. work out monthly reference for the fulfillment of the concluded contracts, except for the contracts, related to establishment, implementation, storage and renewal of the state and war-time reserves; the reference shall also include information about the actions undertaken in view of contracts with regards to which there is non-fulfillment of obligations;
 16. perform methodical guiding and control at carrying out =construction and repair works by the territorial directorates;
 17. create and maintain main register, filing system and auxiliary register of the estates – state property, conceded to the agency for management;
 18. draw in and keep account of requests for issue of title deeds regarding estates – state property, conceded to the agency for management, preserve the acts and follow their timely updating;
 19. organise the maintenance of the central building of the agency, and the premises in a condition corresponding to the standards and the provisions regarding the production hygiene and anti-fire safety and protection;
 20. ensure the necessary inventory subjects, stationery materials, furniture etc.;
 21. provide the transport servicing of the agency, not including the territorial units;
 22. participate in the preparation of drafts of regulations, ordinances, instructions and other acts in the sphere of financial and economic activity and give statements on projects.

Art. 14b. (new - SG 23/07, in force from 16.03.2007) Directorate "Administrative – Legal Servicing and European Coordination" shall:

1. support the management body and the administrative units of the agency with regards to the lawful performing of their functions;
2. carry out legal representation before the courts;
3. undertake legal actions with respect to collecting of receivables of the agency;
4. participate in working out and concluding contracts, party to which is the agency;
5. give statements on the lawfulness of projects and contracts, orders and other acts and documents, related to the activity of the agency;

6. participate in the procedures for realization of administrative penal liability with respect to the controlled persons
7. prepare drafts of normative acts and of internal administrative acts and legal statements on normative acts, sent for co-ordination;
8. give statements on legal matters, raised by citizens and legal persons in relation to the activity of the agency;
9. exercise the methodical management and control over the activity of the legal advisers at the territorial units of the agency;
10. work out and update the projects of the list of positions and the personal schedule of the positions and the reports for the work of the employees according to the legislation in force;
11. organize and control the working out and updating of the job descriptions;
12. draw in acts, related to the emerging, the changes and the termination of the official and the employment legal relations;
13. prepare, form, keep and use the official and the labour files of the employees;
14. organise the working out of training programmes of the employees in the agency;
15. organise and carry out office work and the current keeping of the documents, by receiving, processing, registering and transmitting the incoming correspondence to the purpose, processing and sending the outgoing correspondence;
16. be liable for the delivering of originals or copies of documents to the units from the general and the specialised administration or between them;
17. process and preserve the central registry archive of the agency;
18. organise and coordinate the activity of the agency related to providing healthy and safe labour conditions;
19. work out long-term programmes for the media policy of the agency;
20. ensure publicity and transparency in the activity of the agency, by providing information to the citizens in accordance with their legal rights;
21. research and analyse the publications in the mass media and the public opinion regarding the activity of the activity of the agency and make proposals thereof;
22. carry out the protocol correspondence of the chairman;
23. organise and cooperate for the carrying out of the activity of the agency in the sphere of international cooperation;
24. participate in the preparation of legal acts for harmonization of the Bulgarian legislation with the general rules and the practice of the European Union;
25. together with directorate "Financial and Economic Activities and Management of Property" assist the chairman at working out and carrying out the policy of the agency regarding participation in programmes and projects, financed by European Union Funds;
26. ensure the interpretation at meetings with foreigners and carry out translations of materials and documents.

Art. 14c. (new - SG 23/07, in force from 16.03.2007) (1) Directorate "Security and Defence and Mobilisation Training" shall:

1. assist the chairman of the agency regarding protection of the classified information and ensuring the readiness for work in conditions of crises of military and non-military nature;
2. see to the observance of the Law for Protection of the Classified Information (LPCI) and the other legal acts, regulating the of classified information;
3. apply the rules concerning the kinds of protection of classified information;

4. work out a plan for protection of classified information by physical and technical means and see to its fulfilment;

5. carry out periodical checks of the accountancy and the movement of materials and documents, containing classified information, keep account of the cases of unregulated access to classified information and of the undertaken measures;

6. conduct the simple investigation procedure referred to in Art. 47 of the Law for Protection of the Classified Information and keep a register of the investigated persons;

7. determine the requirements for safety of the automated information system and the computer networks of the agency and exercise control for the observance thereof;

8. work out a plan for protection of classified information in state of war, upon martial or other extraordinary situation;

9. organise and conduct the training of the employees in the agency in the field of the protection of classified information;

10. organise, manage and control the cryptographic protection of classified information in the agency, keep account of the cryptographic means, preserve the key materials and the documentation connected with the cryptographic security;

11. organise, manage and control the activities for guaranteeing the industrial security at concluding and fulfilment of contracts connected with access to classified information;

12. manage registries for classified information;

13. cooperate and provide information to the State commission for the security of the information (SCSI) according to LPCI and shall be liable for the fulfilment of the obligatory instructions of the commission;

14. periodically and upon request give account before the chairman of the agency and SCSI of the fulfilment of the activities regarding protection of the classified information;

15. work out the plan for transition from peace to martial state and organise the carrying out of the events related to the preparation for work in time of war;

16. work out the plan of the agency for actions in the event of crisis;

17. organise the development of the war time plan and carry out its maintenance and correcting in accordance with approved methods for war time planning and the legal acts regarding its resource provision;

18. provide the maintenance in technical readiness for use of objects from the war time management system, conceded to the agency;

19. control the fulfilment of the tasks related to the preparation for work in time of war and in conditions of crises;

20. organise twenty-four hours duty for maintenance in readiness for announcement of the agency at transition of the state from peace to martial state and in the event of crisis;

21. organise and provide the cooperation with ministries and departments in the process of defence planning with regards to the maintenance and use of the infrastructure and provision of the resources required for the defence of the state and the management at crises;

22. plan, distribute and account the financial resources for the activities related to management at crises and defence-mobilisation preparation and fulfilment of the obligations under the Law on the Management Of Crises;

23. organise the work related to working out and sending to the Council of Ministers and other state bodies of reports and information about the state and the activity of the agency regarding management at crisis and defence and mobilisation training;

24. organise and control the security of the buildings, the premises and the facilities of the agency, as well as the admission regime;

25. also fulfil other tasks, ensuing from legal acts, related to the defence and the safety of the state, management at crises, as well as to the protection of classified information.

(2) The director of directorate "Security and Defence and Mobilisation Training" shall be an official in the sphere of security of information and is at direct subordination to the chairman of the agency.

Section V. Specialised administration

Art. 15. (suppl. SG 55/05; amend. – SG 23/07, in force from 16.03.2007) The specialised administration shall be organised in Chief directorate "State Reserves, War-Time an Obligatory Reserves" and directorate "Public Procurement Orders, Sales and Provision of Information".

Art. 16. (prev. (1), amend. SG 55/05; amend. – SG 23/07, in force from 16.03.2007) "Management of the state reserves and the war time reserves" in connection with the state reserves and the war time reserves shall:

1. (amend. – SG 23/07, in force from 16.03.2007) organise and control the creating, the preservation, the accounting, the renewal and the use of the state reserves and the war time reserves according to approved nomenclature;

2. organise the implementing of investigations for the needs of state reserves in the country and develop the nomenclature and the norms for them;

3. (new – SG 55/05) prepare long term program and annual plans for creating, preserving, protecting and renewal of the state reserves and the war time reserves;

4. (prev. 3 – SG 55/05; amend. – SG 23/07, in force from 16.03.2007) gather from the territorial directorates and check the information about the status of the available quantities of state reserves and war time reserves and draw in annual reports as per Art. 29 of the Ordinance for the Terms and the Procedure for Organising the Activities with Respect to State Reserves and War-Time Reserves;

5. (prev. 4 – SG 55/05; amend. – SG 23/07, in force from 16.03.2007) organise the distribution, the dislocation, the completing, the preservation and the renewal of the state reserves and the war time reserves;

6. (prev. 5, amend. SG 55/05) organise and carry out methodical guidance and control of the activity of the territorial directorates, connected with the preserved reserves and stocks;

7. (prev. 6 – SG 55/05) give statements and proposals connected with occurred problems in preservation, purchase and realisation of the reserves and the stocks;

8. (prev. 7 – SG 55/05) investigate the novelties in production, use and preservation of the reserves and the stocks;

9. (prev. 8 – SG 55/05) organise and participate in the development and the updating of instructions for long term preservation of the materials from the nomenclature;

10. (prev. 9 – SG 55/05) summarise and analyse the data and the documents for the goods, the raw materials and the materials from the nomenclature of the reserves and the stocks and clarify the available quantities for state reserves and war time reserves for quarters and annually;

11. (prev. 10 – SG 55/05; amend. – SG 23/07, in force from 16.03.2007) prepare statements along with grounded proposals for release of state reserves and war time reserves and prepare orders according to the decisions taken; to the orders shall be attached all documents, required for preparation and conduct of the respective procedures;

12. (prev. 11 – SG 55/05; revoked – SG 23/07, in force from 16.03.2007) collect and summarise the price information about the market values of the materials from the nomenclature of the reserves and the stocks;

13. (new – SG 55/05) summarize the information about the not fulfilled contracts for preservation and renewal of state reserves and war time reserves, the admitted discrepancies and breaches according to the fact finding records of the territorial directorates and the undertaken measures;

14. (new – SG 55/05) implement control of the economic and the financial reliability of the preservers and organize conducting of competition procedures for selection of external preservers of state reserves;

15. (new – SG 55/05) organize and be responsible for the fulfillment of the requirements of the directives of the European Union with regard to the preservation and the accounting of the materials from the nomenclature of the state reserves and the war time reserves.

16. (new – SG 23/07, in force from 16.03.2007) summarise information, prepare reports and draw in analyses for the tendencies and the changes in the prices (costs) for preservation of state, war-time and obligatory reserves;

17. (new – SG 23/07, in force from 16.03.2007) monthly work out and present a reference for the fulfilment of the concluded contracts for creation and realisation of state and war-time reserves; the reference shall also include information about the measures undertaken, with regards to which there is non-fulfilment of obligations.

(2) (new – SG 23/07, in force from 16.03.2007) With respect to the obligatory stocks of oil and oil products, Chief directorate "State Reserves, War-Time and Obligatory Reserves" shall:

1. organize the creation, preservation, use and restoration of the obligatory stocks of oil and oil products;

2. keep registers of the obliged persons and the registered storehouses for preservation of oil and oil products;

3. monthly work out and present a reference for the fulfilment of the concluded contracts for creation, renewal and realization of the state reserves of oil and oil products; ; the reference shall also include information about the measures undertaken, with regards to which there is non-fulfilment of obligations;

4. organize the printing of store records for input of oil, intermediate technological products for obtaining of fuels and end ready oil products according to the Ordinance for the Conditions and the Procedure for Printing and Control over the Securities, adopted with Decree No 289 of the Council of Ministers of 1994 (prom. SG 101/94; amend. SG 38/95, SG 73/98, SG 8/01) and present them against payment to representative of the storehouse.

5. establish and calculate the average annual and the average daily consumption of oil products in the state and the respective level of the stocks, which must be maintained during the year by the obliged persons;

6. determine the form and the procedure for provision of the information by the producers and the importers of oil products and by the preservers of oil and oil products;

7. carry out checks of documents or inspections on the spot for the fulfilment of the obligations under the Law on Obligations to the International Reimbursement of Damages From Oil Pollution Fund and the Law of the Obligatory Reserves of Oil and Oil Products on behalf of the producers and the importers of oil products and of the preservers

of oil and oil products and propose the imposing of administrative penalties upon established beaches;

8. organise and be responsible for the fulfilment of the requirements of the directives of the European Union with regards to the preservation and the accounting of the obligatory reserves of oil and oil products;

9. prepare and present to the chairman of the agency the information referred to in Art. 8, para 2 of the Law on Obligations to the International Reimbursement of Damages From Oil Pollution Fund with regards to the persons, obliged to make instalments in the fund;

10. notify the persons obliged to make instalments in the International Reimbursement of Damages From Oil Pollution Fund about the annual extent of the due instalments, determined by the respective bodies;

(3) (new – SG 23/07, in force from 16.03.2007) Chief directorate "State Reserves, War-Time and Obligatory Reserves" shall also perform other functions, stipulated by legal acts or assigned by the chairman of the agency

Art. 17. (1) (prev. art. 17 – SG 55/05); amend. – SG 23/07, in force from 16.03.2007) The chief directorate shall have territorial units: territorial directorates in Sofia, Bourgas, Vratsa, Varna, Veliko Tarnovo, Plovdiv, Pleven, Stara Zagora as well as a Central technical base. The Central technical base shall be with status of territorial directorate.

(2) (new – SG 55/05) The territorial directorate shall:

1. (amend. – SG 23/07, in force from 16.03.2007) implement the organization and control the creation, the preservation, the renewal, the accounting and the preservation of the state reserves and the war time stores in the respective regions;

2. analyze the status and make proposals for replacement of state reserves and war time stores preserved in own bases;

3. (amend. – SG 23/07, in force from 16.03.2007) organize and control the release of state reserves and war time stores according to the orders of the chairman of the agency;

4. organize and control the activities for management at crises and the defense – mobilization preparation;

5. implement also other functions regulated with normative acts or assigned by the chairman of the agency.

Art. 18. Directorate "Public procurement orders and information ensuring" shall:

1. in connection with the planning and the analysis of the activity:

a) implement marketing studies for the purposes of the management of the state reserves and war time stores;

b) (amend. – SG 23/07, in force from 16.03.2007) gather, summarize and analyze the market prices of the materials from the nomenclature of the state reserves and war-time reserves and the influence of the prices over the realization at their release;

2. in connection with the creating, renewal and sale of state reserves and war time stores and other functions of the agency:

a) organize and fulfil all activities for assigning of public procurement orders;

b) organize and conduct the overall fulfilment of the tender procedures for sale of released state reserves and war time stores;

c) organize the commodity exchange trade in connection with the activity of the agency;

d) register the documents for import and export of goods and materials;

e) summarize every month the information about the unfulfilled contracts and the undertaken actions;

3. (amend. – SG 23/07, in force from 16.03.2007) in connection with the information ensuring:

a) implement analysis, designing, establishing and exploitation of automated information system for management of the state reserves and war time stores in peace time under crises, martial law or war;

b) set up and maintain the information databases for the condition and the state and war-time reserves available at the agency;

c) organise and maintain the communication structure of the agency

d) assist for the technical ensuring of the safety of the information exchange and the protection of the data;

e) carry out data exchange with national and departmental information systems and integrate the departmental communication infrastructure in a unified infrastructure;

f) introduce and maintain the mathematical and the situation modelling for preparation of multi-variant solutions for accumulation and refreshment of the stores;

g) set up and develop the components of the electronic government – electronic services for the citizens and the business, the electronic turnover of documents in the administration and the electronic databases.

Art. 19. (revoked – SG 23/07, in force from 16.03.2007)

Section VI.

Conditions and order for fulfilment of the functions of the agency in relation with the state reserve of grain

Art. 20. The preservation of the state reserve of grain shall be implemented:

1. (amend SG 55/05) in own bases and storehouses;

2. (amend SG 55/05) upon lack of free storehouse premises - in public storehouses for preservation of grain and grain storages registered under the Law of preservation and trade with grain;

3. (revoked – SG 55/05)

Art. 21. (amend. – SG 23/07, in force from 16.03.2007) The agency shall implement the purchases and sales in the country and abroad for accumulation, restoration and renewal of the state reserve of grain in a way, ensuring the maintenance of permanent net level of the reserve for quarter period.

Art. 22. (amend. – SG 23/07, in force from 16.03.2007) The agency shall implement the activities for organising and controlling of the separation, the preservation and the renewal of the state reserve of grain in a way not influencing or influencing to a minimum the market prices, not intervening on the grain market and not undertaking or implementing activities with objective stabilisation of the grain prices.

Art. 23. The agency shall announce publicly its intentions to implement the activities of art. 21 for the state reserve of grain, and for this purpose:

1. (amend. – SG 23/07, in force from 16.03.2007) till December 15 of the previous year announces its intentions for renewal of the state reserve of grain during the following year according to the quarter period for maintaining the net level, publishing information about this in the Internet site of the agency;

2. announce the terms and the duration of the procedures of item 1 for each of the four quarterly periods;

3. create integrated interactive computer system, ensuring full covering of the implemented activities, including management of the existing quantities of grain and financial accounting.

Section VII.

Conditions and order for fulfilment of the functions of the agency in relation with the obligatory reserves of oil and oil products. State supervision

Art. 24. (1) The agency shall preserve obligatory reserve of oil and oil products in the quantities according to art. 16 and § 3 of the concluding provisions of the Law of the obligatory reserves of oil and oil products as state reserve in own storage bases or in registered storehouses.

(2) The quantity and the structure of the reserves shall be determined by the agency on the basis of the average daily consumption of oil products during the previous year.

Art. 25. (1) (suppl. – SG 23/07, in force from 16.03.2007) The agency shall exercise the state supervision over the producers, importers and all obligatory reserves of oil and oil products, created according to the Law of the obligatory reserves of oil and oil products, and the control over the preservers of oil and oil products.

(2) The supervision shall be implemented by:

1. registering of the storehouses and the producers and the importers of oil and oil products;

2. issuing of different orders and instructions for management of the reserves;

3. implementing of checks;

4. receiving and summarising of information;

5. realising administrative punitive responsibility upon establishing of breaches.

Art. 26. The information about the level and the status of the obligatory reserves oil and oil products shall be public and it shall be published every month in the bulletin of the agency.

Art. 27. In the agency shall be kept public registers of the storehouses for preservation of oil and oil products and of the producers and the importers of oil products.

Chapter five.

ORGANISATION OF THE WORK

Art. 28. The organisation of the work in the agency shall be implemented according to the structural regulation, the internal rules for work and the instruction for the turnover of the documents.

Art. 29. (1) The directors of directorates shall manage, organise, control, plan, coordinate, account and bear responsibility for the activity and the fulfilment of the tasks of the respective directorate.

(2) The directors of directorates shall:

1. report to the chairman of the agency or to the chief secretary the materials on issues, included in the functions of the directorates, manages by them;

2. participate in sessions and meetings with the chairman of the agency or the chief secretary;

3. direct and sign the materials on issues, included in the functions of the directorates, manages by them, according to the conceded authorities;

4. distribute the obligations and the work among the employees in the directorate and control their fulfilment;

5. within the number of the staff and budget resources, approved by the chairman, determine the concrete tasks and the functional relations of the units;

6. prepare the draft of annual budget of the directorate and the account for its fulfilment and present them to the chairman of the agency;

7. (amend. – SG 23/07, in force from 16.03.2007) organise and exercise control with respect to the observing of the instruction for the turnover of the documents, the internal rules for work and the other internal acts within the frames of their competence.

(3) The directors of territorial directorates can fulfil also other functions, assigned to them by the chairman of the agency within the circle of their activity.

Art. 30. The civil servants and the persons, working with legal relation of employment, shall fulfil the tasks, assigned to them and be responsible before the direct chief for the fulfilment of the work according to their job descriptions.

Art. 31. The documents, sent to the agency, shall be registered in the office in an incoming register, marking the date of receiving.

Art. 32. (1) The chairman of the agency or the chief secretary shall assign the files with resolution to the respective chiefs of administrative units. The resolution shall contain instructions, term for working out, date and signature.

(2) The official files shall be distributed immediately after receiving them. The addressees of the files shall be noted in the incoming diary. Upon assigning of the file to more than one chief the responsible one shall be pointed out.

(3) Applications and appeals shall be answered in one month term after receiving them unless with a law other term is provided. The chairman of the agency or the chief secretary can give shorter terms depending on the specifics of the appeal or the application.

Art. 33. The documents, outgoing from the agency shall be compiled in two copies. The second copy shall contain the initials and the signature of the employee, who has prepared the document and of the chief of the respective administrative unit, the date also being pointed out.

Art. 34. The chairman and the employees of the agency shall be obliged not to divulge circumstances and facts, that have become known to them at or on the occasion of fulfilment of their official obligations, except in the cases when this is provided by a law.

Art. 35. The access of external persons in the building of the central management shall be permitted in days and hours, approved by the chairman, after issuing a pass to them by the guard of after presentation of document, permitting the entering.

Art. 36. The working time of the administration shall be from 9 to 17.30 h with lunch break 30 minutes.

Art. 37. For exemplary fulfilment of their official obligations the employees of the agency can be rewarded by the chairman with distinctions and with pecuniary or subject rewards. The value of the pecuniary or the subject reward cannot exceed the extent of the basic salary of the separate employee.

Concluding provisions

Sole paragraph. The regulation is approved pursuant to art. 5, para 3 of the Law of the state reserves and the war time reserves and art. 48 of the Law of the administration.

Transitional and concluding provisions TO DECREE NO. 104 FROM 4 MAY 2006 FOR AMENDMENT OF THE STRUCTURAL REGULATIONS OF THE STATE AGENCY "STATE RESERVE AND WAR TIME RESERVE", ADOPTED WITH DECREE NO. 13 OF THE COUNCIL OF MINISTERS FROM 2004

(PROM. – SG 40/06, IN FORCE FROM 01.04.2006)

§ 3. The Decree shall enter into force from 1 April 2006.

Transitional and concluding provisions TO THE COUNCIL OF MINISTERS DECREE No. 124 OF 2ND OF JUNE 2006 FOR AMENDMENT AND SUPPLEMENTATION OF NORMATIVE ACTS

(PROM. – SG 48/06, IN FORCE FROM 01.05.2006)

§ 34. The Decree shall enter into force from 1st of May 2006, except:
.....

Transitional and concluding provisions

**TO DECREE NO 52 OF 7 MARCH 2007 FOR AMENDMENT
AND SUPPLEMENT OF THE STRUCTURAL REGULATIONS OF
THE STATE AGENCY "STATE RESERVE AND WAR TIME
RESERVES"**

(PROM. – SG 23/07, IN FORCE FROM 16.03.2007)

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

Appendix to art. 6, para 4

(amend. SG 55/05; amend. - SG 40/06, in force from 01.04.2006; amend. - SG 48/06, in force from 01.05.2006, amend. and suppl. – SG 23/07, in force from 16.03.2007)

Number of the staff in the organisational structures and the administrative units of State agency "State reserve and war time reserves" at the Council of Ministers – 791

Chairman	1
Political office	2
Chief secretary	1
Internal Audit Unit	6
Inspectorate	9
General administration	50
Directorate "Financial and Economic Activities and Management of Property"	20
"Administrative – Legal Servicing and European Coordination"	20
"Security and Defence and Mobilisation Training"	10
Specialised administration	722
Chief directorate "State Reserves, War-Time and Obligatory Reserves"	700
In this number:	
Territorial directorates	675
Directorate "Public procurement orders and information ensuring"	22