

# **Ordinance No 12\***

## **of the BNB**

### **of 29 September 2016**

### **on the Register of Bank Accounts**

### **and Safe Deposit Boxes**

(Published in the Darjaven Vestnik, issue 81 of 14 October 2016;  
effective as of 1 January 2017; amended, issue 103 of 2016;  
amended, issues 14 and 49 of 2017; amended, issue 37 of 2018;  
amended, issue 42 of 2019, effective as of 5 June 2019;  
amended, issue 100 of 2019; amended, issues 18 and 48 of 2020;  
amended, issue 101 of 2020, effective as of 1 December 2020;  
amended, issue 61 of 2021, effective as of 1 August 2021;  
amended, issue 91 of 2021)

#### *Chapter One*

#### **General Provisions**

**Article 1.** (amended; Darjaven Vestnik, issue 103 of 2016) This Ordinance shall determine the functioning, scope, procedure and time limits for submitting and obtaining information to/from the Register of Bank Accounts and Safe Deposit Boxes (the Register) maintained by the Bulgarian National Bank (the BNB).

**Article 2.** (amended; Darjaven Vestnik, issue 103 of 2016) The Register is an electronic information system developed and maintained by the BNB to ensure:

1. (amended; Darjaven Vestnik, issue 37 of 2018; amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) centralised information on accounts kept by banks, payment institutions and electronic money institutions, on account numbers, on account holders and persons having disposal rights over the accounts, beneficial owners of account holders, data on account preservation orders, as well as on deposit box holders and persons authorised by them;

2. receipt of information from bodies and institutions under Article 56a, paragraph 3, as well as from natural persons and legal entities under Article 56a, paragraph 4 of the Law on Credit Institutions (LCI);

3. aggregation of collected information.

**Article 3.** (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) Banks and foreign bank branches operating on the territory of Bulgaria (banks), payment institutions and electronic money institutions licensed by the BNB, and keeping payment accounts, and the BNB shall submit information to the Register.

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\* Unofficial translation provided for information purposes only. The Bulgarian National Bank bears no responsibility whatsoever as to the accuracy of the translation and is not bound by its contents.

*Chapter Two*  
**Scope and Time Limits for Submission of Information to the Register**

(title amended; Darjaven Vestnik, issue 100 of 2019,  
effective as of 10 September 2020)

**Article 4.** (1) (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) The institutions under Article 3 shall submit to the Register information on bank accounts of natural persons specifying:

1. the holder of the account (name and identifier code);
2. persons authorised by the holder (name and identifier code);
3. (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) the number of the account /the international bank account number (IBAN);
4. the type of the account;
5. the currency of the account;
6. the date of opening the account;
7. the date of closing the account;
8. other additional information;
9. (new; Darjaven Vestnik, issue 49 of 2017; amended; Darjaven Vestnik, issue 37 of 2018; amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) data on existing account preservation orders, dates of preservation order enforcement and lifting.

(2) (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) The institutions under Article 3 shall submit to the Register information on bank accounts of legal entities specifying:

1. the holder of the account (name and identifier code);
2. persons authorised by the holder (name and identifier code);
3. (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) the number of the account/the international bank account number (IBAN);
4. the type of the account;
5. the currency of the account;
6. the date of opening the account;
7. the date of closing the account;
8. other additional information;
9. (new; Darjaven Vestnik, issue 49 of 2017; amended; Darjaven Vestnik, issue 37 of 2018; amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) data on existing account preservation orders, dates of preservation order enforcement and lifting.
10. (new; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) the beneficial owner (name and identifier code, nationality, country of residence, additional information to identify the person).

**Article 5.** (1) Banks shall submit to the Register information on natural persons who are deposit box holders specifying:

1. the deposit box holder (name and identifier code);
2. persons authorised by the holder (name and identifier code);
3. the date of allotment of the safe deposit box;
4. the expiry date of the safe deposit box allotment;
5. other additional information.

(2) Banks shall submit to the Register information on legal entities who are deposit box holders specifying:

1. the deposit box holder (name and identifier code);
2. persons authorised by the holder (name and identifier code);
3. the date of allotment of the safe deposit box;
4. the expiry date of the safe deposit box allotment;
5. other additional information.

**Article 6.** Data registration and identification in the Register shall be effected as follows:

1. for natural persons: the identity number;
2. for sole proprietors and legal entities: the unified identification code (UIC or BULSTAT code) or personal identification code (PIC) designated by the Registry Agency for other persons and bodies subject to entry in the Commercial Register as provided by law;
3. (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) for non-resident natural persons who have not been issued an identity number under the procedure set by the competent Bulgarian authorities: the personal number, personal number of a foreigner or other identification data, nationality and country of residence;
4. for legal entities which are not registered in Bulgaria: the tax number of foreign persons of the European Union or the registration code in the relevant home country of the entity;
5. for other non-legal entities: the BULSTAT code or the identity number, personal number, personal number of a foreigner of authorised persons, or another identifier by country of registration;
6. other individualising data specified in instructions of the Deputy Governor heading the Banking Department.

**Article 7.** (amended; Darjaven Vestnik, issue 37 of 2018) (1) (previous wording of Article 7; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) Banks shall submit to the Register weekly information on:

1. opening of new accounts, closing of accounts or changes in already submitted data under Article 4;
2. conclusion of new deposit box contracts, termination of such contracts or changes in the information submitted under Article 5;

3. account preservation orders, dates of their enforcement and lifting, or changes in already submitted data under Article 4, paragraph 1, item 9 and paragraph 2, item 9.

(2) (new; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) Payment institutions and electronic money institutions keeping payment accounts shall submit to the Register weekly information on opening of new accounts, closing of accounts or changes in already submitted data under Article 4.

**Article 8.** (1) (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020; amended; Darjaven Vestnik, issue 91 of 2021) Institutions under Article 3 shall be liable for the accurate, complete and duly provided information to the Register, as well as for compliance with the requirements for personal data protection, and correct inaccuracies in provided information on its own initiative or at the request of the person to whom the data relate.

(2) (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) The information provided by banks under Articles 4 and 5 and by payment institutions and electronic money institutions under Article 4 shall correspond to the data stored in their information systems.

(3) The Bulgarian National Bank may not correct the information in the Register on its own initiative unless the information has been provided by the BNB.

**Article 9.** (1) (previous wording of Article 9; Darjaven Vestnik, issue 103 of 2016) The information shall be stored in the Register within the terms provided for in Article 56a, paragraph 9 of the Law on Credit Institutions.

(2) (new; Darjaven Vestnik, issue 103 of 2016) The BNB shall also submit information under this Chapter to the Register.

**Article 10.** (1) A bank with a registered office in the Republic of Bulgaria, which has been declared bankrupt or in liquidation, shall submit information to the Register under the procedure established in this Ordinance until the date of Court ruling on its deletion from the Commercial Register.

(2) In case of bankruptcy or liquidation of a bank with a registered office in a Member State or a bank with a registered office in a third state operating in the Republic of Bulgaria through a branch, as well as in case of a decision for closing a branch of a bank with a registered office in a Member State or a bank with a registered office in a third state, information to the Register shall be provided until its deletion from the respective public register in the state where the bank has been registered until the deletion of the branch accordingly.

(3) (new; Darjaven Vestnik, issue 14 of 2017) A bank in bankruptcy or liquidation shall have limited access to the information in the Register.

(4) (new; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) Payment institutions or electronic money institutions shall submit information to the Register under the procedure set out in this Ordinance until the date of withdrawal or cancellation of the license granted to the relevant payment institution or electronic money institution.

### *Chapter Three*

## **Access to the Information of the Register**

**Article 11.** (1) Access to the information of the Register shall be provided to the bodies and institutions under Article 56a, paragraph 3 of the Law on Credit Institutions with regard to performing their duties in individual checks.

(2) (amended; Darjaven Vestnik, issue 103 of 2016; amended; Darjaven Vestnik, issue 37 of 2018) The right to access of the bodies and institutions under Article 56a, paragraph 3 of the LCI shall materialise electronically or on a hard copy, and of persons under Article 56a, paragraph 3, item 10 of the LCI only electronically. The bodies and institutions under Article 56a, paragraph 3 of the LCI shall obtain information from the Register against payment of a fee under Article 16.

(3) (new; Darjaven Vestnik, issue 103 of 2016) Pursuant to the Law on the Bulgarian National Bank Article 43, paragraph 2, item 4, the Minister of Finance and the BNB shall agree to electronically exchange information on the bank accounts and safe deposit boxes of the budget organisations and the persons under Article 156 of the Law on Public Finance. Specific account identifiers and codes can also be entered in the Register, as well as other information characterising these accounts and their titleholders.

(4) (previous paragraph 3; Darjaven Vestnik, issue 103 of 2016) Where the request does not contain the data required to identify the person under Article 6, the BNB shall inform the applicant in writing of the reasons for not issuing the statement.

(5) (new; Darjaven Vestnik, issue 61 of 2021, effective as of 1 August 2021) The bodies and institutions under Article 56a, paragraph 3 of the Law on Credit Institutions shall have access to the Register in order to obtain information about a titleholder or a beneficial owner of a titleholder using an IBAN of a bank or payment account.

**Article 12.** (1) (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020; amended; Darjaven Vestnik, issue 61 of 2021, effective as of 1 August 2021) Any person may receive information relating to him in the Register as a bank account holder or a payment account holder, a deposit box holder, or an authorised person. Heirs of deceased persons may also receive information from the Register. A natural person may receive information from the Register relating to him as a beneficial owner of an account holder, and a legal entity may receive information from the Register relating to its beneficial owner.

(2) (amended; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019) The information shall be made available free of charge to natural persons within 14 days, and in other cases, against payment of a fee.

(3) The right under paragraph 1 shall be exercised by filing an application in writing to the BNB. The application shall include data from applicant's identity document and shall specify the manner of submitting the information to the appli-

cant – personally or by mail. Upon filing the application in the BNB, the applicant or the person authorised by him shall identify him/herself by submitting an identity document.

(4) The application for information about a natural person shall be personally filed by the applicant or his representative explicitly authorised by notary verified power of attorney which shall be attached to the application.

(5) The application for information about a legal entity shall be personally filed by the person authorised to represent this legal entity, or by a person authorised by him. The documents to be attached to the application shall include:

1. a copy of a current status certificate of registration with the Commercial Register or applicant's unified identification code;
2. a verified copy of current status certificate for entities which are not recorded with the Commercial Register;
3. an explicit notary verified power of attorney to the authorised person if the application is not filed by the persons representing the legal entity.

(6) Non-residents shall attach to the application for information the following documents:

1. an up-to-date document for registration of the applying legal entity in a certified Bulgarian translation;
2. an explicit notary verified power of attorney to the authorised person; where the power of attorney has been verified by a notary outside the Republic of Bulgaria, a certified Bulgarian translation shall be required.

(7) The documents attached to the application under paragraph 4, paragraph 5, item 3 and paragraph 6, item 2 shall be submitted in original or in a notary verified copy.

(8) Where the application is filed by regular mail, the applicant's signature shall be verified by a notary.

(9) (new; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019) An application for information to be obtained from the Register electronically shall be filed personally by a natural person holding a qualified certificate of qualified electronic signature (QCQES) issued by a registered certification service provider under the Law on Electronic Document and Electronic Certification Services. The QCQES shall specify the natural person's identifier (identity number).

(10) (new; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019; amended; Darjaven Vestnik, issue 91 of 2021) The fee due for an application under paragraph 9 shall be paid through a virtual POS terminal under the procedure of Article 16, paragraph 1, items 6–8 and item 10.

**Article 12a.** (new; Darjaven Vestnik, issue 91 of 2021) (1) Any natural person shall have the right to request from the Bulgarian National Bank information about the persons under Article 56a, paragraph 3, item 10 of the LCI, who have accessed his personal data, according to Article 15, paragraph 1 (c) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

(2) Article 12, paragraphs 2–4, 7–10, Article 13 and Article 16, paragraph 1, item 10, paragraphs 2 and 7 shall apply to the provision of the information under paragraph 1.

**Article 13.** (1) (amended; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019) The information requested under Article 12, paragraphs 3, 4 and 5 shall be provided by means of a written statement against a signature to the applicant in person, to a person authorised by the applicant by a notary-certified explicit power of attorney or to a third person entered in the application as the information recipient. Where the statement is provided in person, the recipient shall identify him/herself by presenting an identity document.

(2) The information may also be sent to the applicant by registered letter with acknowledgement of receipt to an address specified by him/her, or to a third person named explicitly in the application as the recipient of the information.

(3) (new; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019; amended; Darjaven Vestnik, issue 91 of 2021) A natural person shall obtain an electronic statement through the information system of the Register within the period set out in Article 12, paragraph 2 or Article 16, paragraph 1, items 6–8 and item 10.

(4) (former paragraph 3; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019) Where a statement cannot be issued, this shall be communicated to the applicant in writing within the same period, stating the reasons thereof.

**Article 14.** (1) (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) Where a person finds out that the information relating to him in the Register is incorrect, this person may request in writing the institution under Article 3, which has submitted the information to the Register, to correct the inaccuracy.

(2) (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) Within seven working days after the receipt of the request, the institution under Article 3 shall be obliged to examine it and reply to the applicant in writing.

(3) (amended; Darjaven Vestnik, issue 103 of 2016; amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) If the request is justified, the institution under Article 3 shall, within seven days, make the correction and submit the corrected data to the Register.

(4) (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) The institution under Article 3 shall not charge a fee for the examination of the request under paragraph 1.

(5) (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) The Bulgarian National Bank shall not examine any objection filed by persons on data relating to them submitted to the Register by the institutions under Article 3.

## *Chapter Four*

### **Control, Measures and Sanctions**

(title amended; Darjaven Vestnik, issue 103 of 2016)

**Article 15.** (1) The Bulgarian National Bank shall monitor the compliance with the terms and procedure for submitting and obtaining information to/from the Register.

(2) (new; Darjaven Vestnik, issue 103 of 2016; amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) Where an institution under Article 3 fails to submit information to the Register within the period referred to in Article 7 or submits information which does not comply with the requirements of this Ordinance, the BNB may suspend the institution's access to bank account and safe deposit boxes statements until the relevant information is submitted.

(3) (new; Darjaven Vestnik, issue 103 of 2016) The Bulgarian National Bank may require additional information or documents with regard to the monitoring under paragraph 1 and may also carry out on-site inspections.

(4) (former paragraph 2; Darjaven Vestnik, issue 103 of 2016; amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) In case of an infringement by an institution under Article 3 of the terms and procedure for data submission under this Ordinance, the sanctions, fines and supervisory measures provided for in the Law on Credit Institutions shall be imposed.

(5) (new; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020) The bodies and institutions under Article 56a, paragraph 3 of the LCI shall set up and maintain a special register to record the data on checks carried out in the Register of Bank Accounts and Safe Deposit Boxes and store such data for a period of five years from the date of the check under Article 56a, paragraph 5 of the LCI.

(6) (new; Darjaven Vestnik, issue 18 of 2020) Bodies and institutions under Article 56a, paragraph 3 of the Law on Credit Institutions may at request obtain information from the system concerning the checks carried out in the Register by persons authorised by them for a specific period of time in order to perform internal control on these persons.

## *Chapter Five*

### **Fees**

**Article 16.** (1) (previous wording of Article 16; Darjaven Vestnik, issue 103 of 2016; amended; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019; amended; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020) The Bulgarian National Bank shall charge fees under this Ordinance, as follows:



1. (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020; amended; Darjaven Vestnik, issue 48 of 2020, effective as of 1 June 2020) BGN 2.50 for issuing by bodies and institutions under Article 56a, paragraph 3 of the LCI a statement for one person when accessing the Register electronically;

2. (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020; amended; Darjaven Vestnik, issue 48 of 2020, effective as of 1 June 2020) BGN 2.50 for issuing by bodies and institutions under Article 56a, paragraph 3 of the LCI a statement for a group of 1 to 400 persons in an XML file when accessing the Register electronically and BGN 1.25 *per* person of a group of 401 to 2000;

3. (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020; amended; Darjaven Vestnik, issue 48 of 2020, effective as of 1 June 2020) BGN 5.00 for issuing a hard copy statement for one person within seven business days;

4. (amended; Darjaven Vestnik, issue 48 of 2020, effective as of 1 June 2020) BGN 10.00 for issuing a hard copy statement for one person within 24 hours;

5. (amended; Darjaven Vestnik, issue 48 of 2020, effective as of 1 June 2020) BGN 20.00 for issuing a hard copy statement for one person within four business hours;

6. (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020; amended; Darjaven Vestnik, issue 48 of 2020, effective as of 1 June 2020) BGN 2.50 for issuing electronically a statement for a natural person within seven business days;

7. (amended; Darjaven Vestnik, issue 48 of 2020, effective as of 1 June 2020) BGN 5.00 for issuing electronically a statement for a natural person within 24 hours;

8. (amended; Darjaven Vestnik, issue 48 of 2020, effective as of 1 June 2020) BGN 10.00 for issuing electronically a statement for a natural person within four business hours;

9. (new; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020) BGN 200 for restoring access to the Register;

10. (new; Darjaven Vestnik, issue 91 of 2021) BGN 2.00 for an information under Article 12a, paragraph 1 within seven business days.

(2) (new; Darjaven Vestnik, issue 103 of 2016) The fee for consulting the Register and issuing a hard copy statement shall be paid in advance save for the cases referred to in the Law on Credit Institutions Article 56a, paragraph 11.

(3) (new; Darjaven Vestnik, issue 103 of 2016; amended; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020) In the cases referred to in Article 56a, paragraph 11 of the Law on Credit Institutions, the due fees shall be paid quarterly, and for the other persons under Article 56a, paragraph 3 of the Law on Credit Institutions, on a monthly basis, following the issue of invoices. The invoiced amount shall be paid within 15 days from the date of the invoice.

(4) (new; Darjaven Vestnik, issue 49 of 2017; amended; Darjaven Vestnik, issue 61 of 2021, effective as of 1 August 2021) For issuing a statement from the Register to a body or an institution under Article 56a, paragraph 3 of the Law on Credit Institutions relating to a titleholder or a beneficial owner of a titleholder using an

IBAN of a bank or payment account, the fees under paragraph 1, items 3, 4 and 5 shall apply.

(5) (new; Darjaven Vestnik, issue 61 of 2021, effective as of 1 August 2021) For issuing a statement from the Register to a natural person – a beneficial owner of an account holder, the fees under paragraph 1, items 1, 3, 4 and 5 shall apply.

(6) (new; Darjaven Vestnik, issue 61 of 2021) For issuing a statement from the Register to a beneficial owner of a legal entity – an account holder, the fees under paragraph 1, items 1, 3, 4 and 5 shall apply.

(7) (new; Darjaven Vestnik, issue 37 of 2018; amended; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019; previous paragraph 5; Darjaven Vestnik, issue 61 of 2021, effective as of 1 August 2021) The time limits for issuing statements shall be within the working time after the application for issuing a statement and the documents required have been registered at the BNB, and where the electronic application under Article 12, paragraph 9 has been filed after the end of the working time, the time limits shall begin to run from the following business day.

(8) (new; Darjaven Vestnik, issue 101 of 2020, effective as of 1 December 2020; previous paragraph 6; Darjaven Vestnik, issue 61 of 2021, effective as of 1 August 2021; amended; Darjaven Vestnik, issue 91 of 2021) During an emergency epidemic situation, introduced under Article 63, paragraph 2 of the Health Law, BNB may suspend the issuance of hard copy statements under paragraph 1, items 4 and 5 and introduce an additional service of issuing a hard copy statement within 3 working days against a fee of BGN 8.

**Article 17.** (new; Darjaven Vestnik, issue 103 of 2016) The fees under Article 16 shall be determined pursuant to the methodology referred to in the Appendix to this Ordinance. The methodology takes into account the estimated operating and maintenance costs of the Register and the estimated number of statements for the respective calendar year.

## *Chapter Six*

### **Inclusion in and Exclusion from the Information System of the Register**

(new; Darjaven Vestnik, issue 14 of 2017)

**Article 18.** (1) (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) The bodies and institutions under Article 56a, paragraph 3 of the Law on Credit Institutions and the institutions under Article 3 shall file a written application to the Deputy Governor heading the BNB Banking Department for inclusion in the information system of the Register. The following documents shall be attached to the application:

1. a registration form for inclusion in the information system of the Register;
2. a notification on the technical and software readiness for inclusion in the information system of the Register;

3. (amended; Darjaven Vestnik, issue 37 of 2018; amended; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019; amended; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020) internal rules laying down the terms and procedure for obtaining and using information from the Register, the rights and obligations of the authorised persons who will receive information from the Register with regard to performing their duties in individual checks, for which data are recorded in the special register under Article 15, paragraph 5, and control over them.

(2) (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) The internal rules under paragraph 1, item 3 of the institutions under Article 3 shall also include the terms and procedure for submitting information to the Register, the rights and obligations of the officers who will process and submit this information, and the terms and procedure for controlling the accuracy of the information submitted to the BNB and for correcting the inaccurate information.

(3) (new; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2019) The bodies and institutions under Article 56a, paragraph 3 of the LCI and the institutions under Article 3 shall submit the amendments to the rules under paragraph 1, item 3 and under paragraph 2 within ten days of their adoption. They shall promptly bring these rules in line with the regulatory changes on the activities of the Register of Bank Accounts and Safe Deposit Boxes.

(4) (new; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019; former paragraph 3; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020) If the applicant fails to submit the documents under paragraphs 1 and 2, or the documents submitted contain incomplete, confusing or false information, the BNB shall inform in writing the applicant thereof by sending a letter containing instructions for removing the inconsistencies.

(5) (new; Darjaven Vestnik, issue 37 of 2018; former paragraph 3; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019; former paragraph 4; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020) The bodies and institutions under Article 56a, paragraph 3 of the LCI shall within 15 days notify the BNB about any changes in the information and documents which have occurred following their entry into the information system of the Register of Bank Accounts and Safe Deposit Boxes by enclosing certified copies of the documents evidencing these changes.

(6) (former paragraph 3; Darjaven Vestnik, issue 37 of 2018; former paragraph 4; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019; former paragraph 5; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020) The inclusion in and exclusion from the information system of the Register shall be effected by an order of the Deputy Governor heading the BNB Banking Department.

(7) (former paragraph 4; Darjaven Vestnik, issue 37 of 2018; former paragraph 5; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019; former paragraph 6; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020) Exclusion from the information system of the Register shall be made in case of:

1. deletion of the legal entity or in the event of termination of activity of a body or institution under Article 56a, paragraph 3 of the LCI;
2. deleted registration of a financial institution under Article 9 of Ordinance No 26 of the BNB on Financial Institutions;
3. revocation or invalidation of a licence issued to a payment institution or electronic money institution, or termination of activity under Article 21 of the Law on Payment Services and Payment Systems.

(8) (Former paragraph 5; Darjaven Vestnik, issue 37 of 2018, former paragraph 6; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019; former paragraph 7; amended; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020) The Bulgarian National Bank shall suspend the access of users from bodies and institutions, who have not paid an invoice within the term specified in Article 16, paragraph 3 until the amount due and the fee for restoring access to the Register under Article 16, paragraph 1, item 9 are paid.

### **Additional Provision**

§ 1. Within the meaning of this Ordinance:

1. 'bank account' shall mean an account at a bank, opened on behalf of one or more persons, used for execution of payment transactions, storage of money or other valuables under certain conditions;
2. (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) 'account holder' shall mean a person in whose name an account is opened on the territory of the Republic of Bulgaria;
3. 'safe deposit box holder' shall mean a person who has concluded a rental contract for a safe deposit box on the territory of the Republic of Bulgaria;
4. (new; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) 'payment account' shall mean an account held in the name of one or more payment service users, which is used for the execution of payment transactions;
5. (new; Darjaven Vestnik, issue 100 of 2019, effective as of 10 September 2020) 'beneficial owner' shall mean a natural person or natural persons within the meaning of § 2 of the Additional Provisions of the Law on the Measures against Money Laundering.

### **Transitional and Final Provisions**

§ 2. The initial submission of information by banks to the Register shall be made by 30 November 2016 and shall include data as of 31 October 2016 and the information for the 1 November to 31 December 2016 period shall be submitted after 1 January 2017.

§ 3. Data concerning the persons authorised by account holders and safe deposit box holders shall be submitted to the Register starting with new accounts and safe deposit box rental contracts concluded after 1 July 2017.

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§ 4. The Deputy Governor of the Bulgarian National Bank heading the Banking Department shall issue instructions on the enactment of this Ordinance.

§ 5. This Ordinance is issued on the grounds of § 56a, paragraph 8 and § 13 of the Transitional and Final Provisions of the Law on Credit Institutions and is adopted by Resolution No 111 of 29 September 2016 of the Governing Council of the Bulgarian National Bank and shall be effective as of 1 January 2017 with the exception of § 2 which shall enter into force from the date of publication of this Ordinance in the *Darjaven Vestnik*.

Appendix to Article 17  
(new; Darjaven Vestnik, issue 103 of 2016;  
amended; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019;  
amended; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020;  
amended; Darjaven Vestnik, issue 48 of 2020, effective as of 1 June 2020)

### **Methodology for Calculating the Amount of Fees for Issuing Statements from the Register of Bank Accounts and Safe Deposit Boxes**

1. This methodology shall set out the terms and conditions for determining the fees under Article 16.

2. (amended; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020) The estimated operating and maintenance costs of the Register shall be calculated on an annual basis and shall include staff costs, including insurance and social expenditure, depreciation and software and hardware maintenance subscriptions and administrative and other expenditure related to the activity.

3. (amended; Darjaven Vestnik, issue 49 of 2017; amended, Darjaven Vestnik, issue 42 of 2019; effective as of 5 June 2019, amended; Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020; amended; Darjaven Vestnik, issue 48 of 2020, effective as of 1 June 2020) The estimated number of statements shall be defined on the basis of estimated number of statements issued electronically for one person and for a group of 1 to 400 persons in an XML file format by bodies and institutions under Article 56a, paragraph 3 of the LCI for the calendar year.

4. (amended; Darjaven Vestnik, issue 49 of 2017; amended; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019) The amount of a fee in levs for an electronic statement from the Register to be paid by the bodies and institutions under Article 56a, paragraph 3 of the LCI shall be defined by dividing the estimated costs under item 2 by the estimated number of statements under item 3 and by rounding upward the resulting amount to the first decimal place.

5. (amended; Darjaven Vestnik, issue 49 of 2017; amended; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019) The amount of the fee for the bodies and institutions under Article 56a, paragraph 3 of the LCI to obtain information from the Register electronically in an XML file format concerning a group of one to 400 persons shall be equal to the fee referred to in item 4 *per* each person, and from 401 to 2000 to 50 per cent of the fee referred to in item 4 *per* each person.

6. (amended; Darjaven Vestnik, issue 49 of 2017; amended; Darjaven Vestnik, issue 48 of 2020, effective as of 1 June 2020) The amount of the fee for accessing the Register to obtain information in a hard copy statement for one person issued within 7 working days shall be established on the basis of two times the fee for an electronic statement, but not less than BGN 2.

7. (amended; Darjaven Vestnik, issue 49 of 2017; amended, Darjaven Vestnik, issue 100 of 2019, effective as of 1 January 2020; amended; Darjaven Vestnik, issue 48

of 2020, effective as of 1 June 2020) The amount of the fee for accessing the Register to obtain information in a hard copy statement for one person issued within four business hours shall be established on the basis of two times the fee under item 6.

8. (amended; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019) The amount of the fee for accessing the Register to obtain information in a hard copy statement for one person issued within four business hours shall be established on the basis of two times the fee under item 7.

9. The amount of the fees thus determined for accessing the Register to obtain information in hard copy statements also includes possible postal charges for the delivery thereof.

10. (new; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019) The amount of the fee for a natural person to obtain information from the Register electronically within seven business days shall be calculated on the basis of 50 per cent of the fee referred to in item 6.

11. (new; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019) The amount of the fee for a natural person to obtain information from the Register electronically within 24 hours shall be calculated on the basis of 0.50 per cent of the fee referred to in item 7.

12. (new; Darjaven Vestnik, issue 42 of 2019, effective as of 5 June 2019) The amount of the fee for a natural person to obtain information from the Register electronically within four business hours shall be calculated on the basis of 0.50 per cent of the fee referred to in item 8.

## **Ordinance on Amendment to Ordinance No 12 of 2016 on the Register of Bank Accounts and Safe Deposit Boxes**

(Published in the Darjaven Vestnik, issue 103 of 2016)

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### **Transitional and Final Provisions**

§ 11. The Bulgarian National Bank, banks and foreign bank branches operating on the territory of Bulgaria shall access the Register to obtain information by electronic means as from 1 February 2017.

§ 12. By 31 March 2017 the bodies and institutions under Article 56a, paragraph 3 of the Law on Credit Institutions shall adopt and implement internal rules for effective control on authorised persons having access to the information contained in the Register. The content of these rules shall be determined in instructions issued by the Deputy Governor heading the Banking Department.

§ 13. By 1 April 2017 a bank with a registered office in the Republic of Bulgaria, which has been declared bankrupt prior to the entry into force of this Ordinance, shall submit information to the Register on persons having claims to bank accounts as depositors, included in the approved list of the accepted claims pursuant to Article 67, paragraph 2 of the Law on Bank Bankruptcy, specifying the account holder (name and identifier code accordingly). When completing the list of claims approved by the court under Article 71 of the Law on Bank Bankruptcy, the bank shall submit the relevant information to the Register within 30 days after the entry into force of the decisions under Article 71, paragraph 1 of the Law on Bank Bankruptcy.

§ 14. A bank with a registered office in the Republic of Bulgaria, which has been declared bankrupt prior to the entry into force of this Ordinance, shall submit information to the Register on the safe deposit box holders, except where the safe deposit boxes have been vacated by their holders or opened by the assignee in bankruptcy pursuant to Article 56 of the Law on Bank Bankruptcy.

§ 15. This Ordinance is issued on the grounds of Article 56a, paragraph 8 of the Law Credit Institutions and is adopted by Resolution No 163 of the Governing Council of the Bulgarian National Bank of 16 December 2016. The Ordinance shall enter into force on 1 January 2017.



**Ordinance on Amendment to Ordinance No 12 of 2016  
on the Register of Bank Accounts and Safe Deposit Boxes**

(Published in the Darjaven Vestnik, issue 14 of 2017)

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**Transitional and Final Provisions**

§ 3. Banks included in the information system as of the date of entry into force of this Ordinance, shall adopt and lodge at the BNB the internal rules under Article 18, paragraph 1, item 3 and paragraph 2 no later than 31 March 2017.

§ 4. This Ordinance is issued on the grounds of Article 56a, paragraph 8 of the Law on Credit Institutions and is adopted by Resolution No 9 of the Governing Council of the Bulgarian National Bank of 26 January 2017. The Ordinance shall enter into force on 1 February 2017.

**Ordinance on Amendment to Ordinance No 12 of 2016  
on the Register of Bank Accounts and Safe Deposit Boxes**

(Published in the Darjaven Vestnik, issue 49 of 2017)

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**Transitional and Final Provisions**

§ 4. § 1<sup>1</sup> shall apply from 1 January 2018 to account preservation orders imposed after this date.

§ 5. This Ordinance is issued on the grounds of Article 56a, paragraph 8 of the Law on Credit Institutions and is adopted by Resolution No 85 of the Governing Council of the Bulgarian National Bank of 8 June 2017. The Ordinance shall enter into force on 1 July 2017.

\* § 1. In Article 4, the following paragraphs are added:

1. Item 9 is inserted in paragraph 1:

‘9. data on an account preservation order and the date of account preservation order.’

2. Item 9 is inserted in paragraph 2:

‘9. data on an account preservation order and the date of account preservation order.’

**Ordinance on Amendment to Ordinance No 12 of 2016  
on the Register of Bank Accounts and Safe Deposit Boxes**

(Published in the Darjaven Vestnik, issue 37 of 2018)

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**Transitional and Final Provisions**

§ 7. The Bulgarian National Bank shall not provide the bodies and institutions under Article 56a, paragraph 3 of the LCI with information on existing bank accounts and safe deposit boxes of natural persons and legal entities before the date of the initial submission of information into the Register on 31 October 2016.

§ 8. The bodies and institutions which recorded changes in their activity until the enforcement of this Ordinance shall submit updated internal rules under the procedure of Article 18, paragraph 1, item 3 within three months of the enforcement of this Ordinance.

§ 9. This Ordinance is issued on the grounds of Article 56a, paragraph 8 of the LCI and is adopted by Resolution No 104 of 18 April 2018 of the BNB Governing Council and comes into force on the date of its publication in the Darjaven Vestnik.

**Ordinance on Amendment to Ordinance No 12 of 2016  
on the Register of Bank Accounts and Safe Deposit Boxes**

(Published in the Darjaven Vestnik, issue 42 of 2019)

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**Final Provision**

§ 6. This Ordinance is issued on the grounds of Article 56a, paragraph 8 of the Law Credit Institutions and is adopted by Resolution No 177 of the Governing Council of the Bulgarian National Bank of 16 December 2016. The Ordinance shall enter into force on 5 June 2019.

**Ordinance on Amendment to Ordinance No 12 of 2016  
on the Register of Bank Accounts and Safe Deposit Boxes**

(Published in the Darjaven Vestnik, issue 100 of 20 December 2019)

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**Final Provision**

§ 16. This Ordinance is issued on the grounds of Article 56a, paragraph 8 of the Law on Credit Institutions, adopted by Resolution No 424 of 12 December 2019 of the Governing Council of the Bulgarian National Bank and shall enter into force on 10 September 2020, except for § 11, item 1, letter 'b' and § 12, § 13, item 1, letter 'b', items 3, 4 and 5 and § 15 which shall enter into force on 1 January 2020.

**Ordinance on Amendment to Ordinance No 12 of 2016  
on the Register of Bank Accounts and Safe Deposit Boxes**

(published in the Darjaven Vestnik, issue 18 of 28 February 2020)

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**Final Provision**

§ 2. This Ordinance is issued on the grounds of Article 56a, paragraph 8 of the Law on Credit Institutions and is adopted by Resolution No 51 of 13 February 2020 of the Governing Council of the Bulgarian National Bank.

**Ordinance on Amendment to Ordinance No 12 of 2016  
on the Register of Bank Accounts and Safe Deposit Boxes**

(Published in the Darjaven Vestnik, issue 48 of 26 May 2020)

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**Final Provision**

§ 3. This Ordinance is issued on the grounds of Article 56a, paragraph 8 of the Law on Credit Institutions, adopted by Resolution No 176 of 14 May 2020 of the Governing Council of the Bulgarian National Bank and shall enter into force on 1 June 2020.

**Ordinance on Amendment to Ordinance No 12 of 2016  
on the Register of Bank Accounts and Safe Deposit Boxes**

(Published in the Darjaven Vestnik, issue 101 of 27 November 2020)

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**Final Provision**

§ 3. This Ordinance is issued on the grounds of Article 56a, paragraph 8 of the Law on Credit Institutions, adopted by Resolution No 404 of 19 November 2020 of the Governing Council of the Bulgarian National Bank and shall enter into force on 1 December 2020.

**Ordinance on Amendment of Ordinance No 12 of 2016  
on the Register of Bank Accounts and Safe Deposit Boxes**

(Published in the Darjaven Vestnik, issue 61 of 23 July 2021,  
effective as of 1 August 2021)

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**Final Provision**

§ 4. This Ordinance is issued on the grounds of Article 56a, paragraph 8 of the Law on Credit Institutions and adopted by Resolution No 221 of 8 July 2021 of the Governing Council of the Bulgarian National Bank. It enters into force on 1 August 2021.

**Ordinance on Amendment of Ordinance No 12 of  
29 September 2016 on the Register of Bank Accounts and Safe  
Deposit Boxes**

(Published in the Darjaven Vestnik, issue 91 of 2 November 2021)

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**Final Provision**

§ 6. This Ordinance is issued on the grounds of Article 56a, paragraph 8 of the Law on Credit Institutions and adopted by Resolution No 326 of 20 October 2021 of the Governing Council of the Bulgarian National Bank.