

STRUCTURAL AND OPERATIONAL RULES OF THE NATIONAL COMMISSION TO COMBAT TRAFFICKING IN PERSONS

SECTION I

GENERAL PROVISIONS

Art. 1. These Rules shall stipulate the structure and operation of the National Commission to Combat Trafficking in Persons affiliated with the Council of Ministers, referred to further as "the National Commission".

Art. 2. The National Commission shall lead, coordinate and control activities relevant to the implementation of the national policy and strategy to suppress and combat human trafficking and ensure victim protection.

Art. 3. The National Commission shall operate pursuant of the Act to Combat Trafficking in Persons, by means of an administration and local commissions to combat trafficking in persons, referred to further as "local commissions".

Art. 4. To perform activities pursuant of Art. 2 the National Commission shall draft annual programs to suppress and combat human trafficking and protect victims and table the latter documents to the Council of Ministers for endorsement.

SECTION II

ORGANIZATIONAL STRUCTURE OF THE NATIONAL COMMISSION

Art. 5. (1) The National Commission shall consist of a collective body comprising a Chair, two deputies and members in accordance with the provisions of Art. 4 of the Act to Combat Trafficking in Persons.

(2) The Commission's activities shall be supported by an administrative staff headed by a Secretary.

(3) The Chair of the National Commission shall be selected by the Council of Ministers/ Deputy Prime-Minister. The Vice Chairs shall be selected by the Chair of the National Commission.

Art. 6. (1) The Chair of the National Commission shall lead, coordinate and control activities relevant to the implementation of the State policy in the area of suppression and combating of human trafficking and victim protection.

(2) In exercising their authority, the Chair shall be assisted by the Deputy Chairs and the Secretary.

(3) By order the Chair shall delegate authority to the Deputy Chairs.

(4) In his absence the functions of the Chair shall be assumed by a Deputy Chair on a case by case basis.

Art. 7. The Chair shall:

1. submit annually for endorsement by the Council of Ministers a national program to suppress and combat trafficking in persons and to ensure victim protection;

2. determine the individual members of the National Commission;

3. schedule meetings of the National Commission and moderate the latter;

4. table for debate before the Council of Ministers proposals and issues relative to the activities of the National Commission and local commissions;

5. appoint and dismiss the Secretary and administrative staff of the National Commission;

6. dispose of the budget and assets of the National Commission;

7. submit to the Council of Ministers an annual report on the operations of the National Commission and local commissions.

Art. 8. (1) The Secretary shall be on the payroll of the National Commission.

(2) The Secretary shall be an individual with a university degree in law and at least 5 years of experience at institutions or organizations pursuant of Art. 4 of the Act to Combat Trafficking in Persons.

Art. 9. The Secretary shall manage the administration of the National Commission thereby:

1. organizing overall operations;
2. assuring preparations for the National Commission meetings and implementation of decisions taken;
3. coordinating the activities of local commissions;
4. organizing and supervising task implementation on behalf of the administrative staff of the National Commission;
5. supervising and being responsible for document flow and storage in keeping with requirements pursuant of the Classified Information Protection Act;
6. organizing and supervising statistical data gathering and safekeeping of such belonging to all institutions featured among the members of the National Commission, as well as that of non-governmental organizations, in compliance with requirements prescribed by the Classified Information Protection Act.
7. organizing and supervising the maintenance of the register under Art. 9, para 1, item 2 of the Act to Combat Trafficking in Persons;
8. fulfilling other tasks assigned to them by the Chair of the National Commission.

Art. 10. The administration under Art. 4, para 5 of the Act to Combat Trafficking in Persons shall consist of payroll staff of the National Commission.

SECTION III

MEETINGS OF THE NATIONAL COMMISSION

Art. 11. (1) To perform its activities the National Commission shall hold regular meetings in accordance with a pre-announced agenda. The regular meetings shall be convened by the Chair at least 4 times a year. On proposal by the members of the National Commission extraordinary meetings may also be held.

(2) The meetings of the National Commission shall be open and held in attendance of the persons and organizations under Art. 4, para 4 of the Act to Combat Trafficking in Persons. By exemption the National Commission may decide to hold meetings *in camera* when so required pursuant of the Classified Information Protection Act or when public order and national security are jeopardized.

(3) The representatives of legal not-for-profit entities and of international organizations with resident offices in the country that engage in anti-trafficking activities and trafficking victim support shall participate in National Commission meetings as observers.

Art. 12. (1) Legal not-for-profit entities shall advise of their wish to participate in National Commission meetings in writing. The request shall be accompanied by the following documents:

1. a court decision in favor of registration;
2. articles of association of the organization;
3. statement of the current status of the applicant;
4. a sample questionnaire covering the operations and program of the organization, approved by the National Commission;
5. power of attorney of the person acting on behalf of the organization at the National Commission meetings.

(2) The National Commission shall notify the applicant in writing of identified omissions in the submitted documents and the envisaged adjustments deadline.

(3) The Chair of the National Commission or an official acting on his authority shall rule on the application and the enclosed documents within 30 days of their receipt.

(4) The decision pursuant of para 3 shall be subject to appeal under the provisions of the Supreme Administrative Court Act.

(5) Legal not-for-profit persons qualified to sit in the meetings of the National Commission shall yearly submit the questionnaire envisaged in para 1, item 4.

(6) Participation by persons under Art. 4, para 4 of the Act to Combat Trafficking in Persons in the activities of the National Commission shall be terminated upon:

1. their request;
2. the wind-up of the legal entity;
3. on decision by the National Commission when their activities contravene the law and good morals or upon the termination of activities relevant to combating trafficking in persons and trafficking victim protection.

(7) The decision pursuant of Art. 6, para 3 shall be subject to appeal under the provisions of the Supreme Administrative Court Act.

Art. 13. (1) The agenda for each meeting shall be drafted by the Secretary and circulated to the members of the National Commission and other participants at least 7 days prior to the meeting, in conjunction with associated papers.

(2) Persons and organizations under Art. 4, para 4 of the Act to Combat Trafficking in Persons shall confirm participation in the meeting prior to the expiration of the deadline under para 1 by naming their representative of choice.

(3) The members of the National Commission and other participants may submit proposals for agenda items and written statements of opinion.

Art. 14. The meetings of the National Commission shall be considered properly convened if at least two thirds of the members attend. In the absence of a quorum the Chair shall schedule a new meeting.

Art. 15. (1) The National Commission shall adopt decisions by ordinary majority. Every meeting shall have a shorthand transcript signed by the shorthand writer and the Chair of the Commission.

(2) A copy of the minutes and the adopted decisions shall be circulated to the members of the National Commission within 5 work days after the meeting.

SECTION IV

LOCAL COMMISSIONS TO COMBAT TRAFFICKING IN PERSONS

Art. 16. Local commissions shall conduct the State's policy and strategy in the area of combating human trafficking on the territory of the respective municipalities by way of:

1. submitting to the National Commission a draft budget committed for the implementation of the municipal anti-trafficking policy on the territory of the municipality in question;
2. annually reporting on performance before the respective Mayor and the National Commission.

SECTION V

FINANCES AND ASSETS

Art. 17. The National Commission shall be a legal person on budget support based in the city of Sofia. It shall be a second level spending unit with the Council of Ministers.

Art. 18. The Chair of the National Commission shall dispose of the budget and assets of the Commission.

Art. 19. The National Commission shall have its own seal and letterhead.

FINAL PROVISIONS:

#1. These Rules shall be adopted pursuant of Art. 4, para 6 of the Act to Combat Trafficking in Persons.

#2. The Rules shall be enforced by the Council of Ministers.