STANDARD SUMMARY PROJECT FICHE

1. Basic information

1.1. Desire Number: BG 0201.09
    Twinning code: BG02/IB-SO-01

1.2. Title
    Support for the elaboration and effective implementation of the consumer protection legislation and for
    the strengthening of the institutional structure in the field of consumer protection.

1.3. Location
    BULGARIA

2. OBJECTIVES

2.1. Overall Objective (s):
    Assistance for institutional capacity building and creation of the conditions for the effective
    enforcement of consumer protection legislation and for carrying out of consumer protection policy.

    Building up of consumer confidence in the market of products and services and achieving a high level
    of protection, including protection of consumer’s health and safety and the protection of the economic
    interests of consumers.

    Strengthening of the consumer movement in Bulgaria.

2.2. Project purposes
    The immediate aims of the project are:
    a). Institutional capacity building : making the Department for Consumer Protection and the
       Commission on Trade and Consumer Protection operating and strengthening their role and functions
       both in policy making and enforcement of consumer legislation ; making the Conciliation commissions
       functioning throughout the country; promoting the development of non-governmental consumer
       associations and increasing their rights with regard to consumer information, consumer advice and
       representation of the consumer interest in policy-making and decision-making processes affecting them;

    b). Further completion and follow-up of the legislative harmonization processes with regard to
       consumer protection;

    c). Training of specialist and of judicial actors likely to contribute to the effective enforcement of the
       existing consumer protection legislation;

    d). Raising of public awareness on consumer protection issues.

2.3. Accession Partnership and NPAA priority
    Bulgaria’s National Programme for the Adoption of the Acquis states the following priorities of the
    Bulgarian government in the field of consumer protection :
    • Creation of the conditions for the effective enforcement of the consumer protection legislation and
      for carrying out of consumer protection policy ;
    • Protection of consumers’ health and safety ;
    • Protection of the economic interests of consumers ;
    • Protection of the collective interests of consumers.

    The project shall address the above –mentioned priorities through the realization of the following
    measures:
• strengthening of the administrative body which shall carry out a consumer protection policy and shall co-ordinate the activities in the field of consumer protection undertaken by the other administrative authorities;
• creation of conditions for the functioning of the National Council for Consumer Protection;
• training of judiciary on issues related to the enforcement of the consumer protection legislation;
• setting up of a functioning system for exchange of information on dangerous products placed on the market;
• training of civil servants of the Department for Consumer Protection and the Commission on Trade and Consumer Protection on specific issues related to consumer law and the protection of consumers such as product safety;
• training of the officers of the Commission on Trade and Consumer Protection for the adequate enforcement;
• training of members of conciliation commissions set up for the out of court settlement of consumer disputes.

3. Description

3.1. Background and justification
The main enforcement authority charged under the Consumer Protection law with the principle responsibility for enforcing the law is the Commission on Trade and Consumer Protection. Under the Consumer protection law, (art.42), the ministry of Economy through the Commission is responsible for:
• general supervision of the observance of the consumer protection law;
• issuing instructions for the elimination of violations of the law;
• co-ordinating the activities of the other bodies involved in the protection of consumers.

In total the Commission has 170 employees working throughout Bulgaria. At local level, the Commission is able to rely on nine regional centres and 28 districts across the country. These centres and units are answerable to the president of the Commission.

Enforcement issues which are the responsibility of the Commission on Trade and Consumer Protection include: labeling, indication of prices, product safety, unfair and misleading advertising and unfair contract terms.

In 2001 the Commission on Trade and Consumer Protection signed cooperation agreements for carrying out the activity of control with the following controlling bodies: National Veterinary Service and National Service for Plant Protection with the ministry of Agriculture, National Drug Institute with the ministry of Health. It works in cooperation with the State Agency on Standardisation and Metrology which is responsible for the enforcement of the New Approach Directives.

Considering the requirements of the European directive on general product safety, efforts for the construction of a market surveillance system are being directed towards creating a harmony between the controlling bodies and determining a co-ordination body with a view to the securing the observation of the general obligation for safety of products placed on the market.

The Commission on Trade and Consumer Protection supervises the general safety of products placed on the market, except for products whereby there is a special legislation to regulate safety requirements.

In May 2000 a National Council for Consumer Protection was set up as a consultative body to the minister of Economy, where members are equal number of representatives of non-governmental organisations for consumer protection and civil servants from the administration. Consumer associations participate actively in the work of the National Council for Consumer Protection where different issues concerning directly or indirectly consumers are discussed.
3.1.1. Legal framework

The Law on Consumer Protection and Trade Rules (promulgated in State Gazette, issue 30 of April 2, 1999) which entered into force as of July 3, 1999 is the principal piece of legislation in the field of consumer protection in Bulgaria which transposes into Bulgarian legislation the following European Directives:

- Directive 98/6 EC on consumer protection in the indication of the prices of products offered to consumers;
- Directive 84/450 on misleading advertising;
- Directive 93/13 on unfair terms in consumer contracts;
- Directive 92/59/EEC on general product safety;
- Directive 85/374 on liability for defective products;
- Directive 85/577/EEC to protect the consumer in respect of contracts negotiated away from business premises.

The Law on Consumer Protection and Trade Rules introduces partially into Bulgarian legislation some of the essential provisions of the Directive 97/7 on the protection of consumers in respect of distance contracts.

The following implementing regulations of the Law on Consumer Protection and Trade Rules have been enacted in 1999:

- Regulation ? 3 of the Ministry of Trade and Tourism on Consumer protection in price indication of products and services, promulgated in State Gazette, issue 56 of 1999, entered into force as of July 3, 1999 (this regulation introduces into Bulgarian legislation requirements of Directive 98/6 on price indication of products);
- Regulation of the Council of Ministers on requirements for labeling of non food products, promulgated in State Gazette, issue 60 of 1999, which entered into force as of November 3, 1999);
- Regulation ? 4 on the withdrawal from the market of dangerous products and their destruction;
- Regulation on the work of Conciliation Commissions, promulgated in State Gazette issue 56 of 1999, in force as of July 3, 1999;
- Regulation on the work of the National Council for Consumer protection, promulgated in State Gazette, issue 56 of 1999, in force as of July 3, 1999;

3.1.2 Administrative structures

The Law on Consumer Protection and Trade Rules contains the legal framework for the establishment of the institutional structure for consumer protection in Bulgaria. This law designates the authorities competent to enforce the consumer protection legislation in Bulgaria.

The Law on Consumer Protection and Trade Rules provides for the setting up of the following administrative and consultative bodies:

- **Ministry of Economy** – responsibility for the elaboration and carrying out of consumer protection policy and for drafting of consumer protection legislation;
- **Commission on Trade and Consumer Protection within the ministry of Economy** – responsibility for the enforcement of consumer protection legislation;
- **National Council for Consumer Protection** – a consultative body to the minister of Economy which shall provide assistance to the latter for carrying out of consumer protection policy. It shall
consult the minister of Economy on issues related to the carrying out of such a policy; it shall submit proposals through the minister of Economy for the elaboration of legal regulations for consumer protection; it shall carry out programs for consumer protection and shall encourage the conclusion of agreements between consumer associations and professional organisations of traders;

By a Decree of the Council of Ministers ?138, dated of June 29, 1999 the National Commission on Trade within the Ministry of Trade and Tourism was transformed into Commission on Trade and Consumer Protection. In pursuance of article 51 of the Law on administration a regulation on the structure of the Commission on Trade and Consumer Protection and its administration was adopted by a Decree of the Council of Ministers N 161 of August 5, 1999. which establishes the administrative structure of the Commission on Trade and Consumer Protection. At present 170 people within 9 regional and 28 district offices work in the Commission on Trade and Consumer Protection.
The Commission on Trade and Consumer Protection shall set up a functioning system for exchange of information on dangerous products placed on the market on the territory of the country.

3.2. Linked activities

Past project: Support to the Bulgarian administration under the CICPP Phare programme including among others comments upon a first draft Consumer Protection Act (early in 1996) prepared by the Federation of Consumers in Bulgaria and the State Committee for Standardization; drafting of a comprehensive proposal for Consumer Protection Act; meetings and discussions on the terms of the draft; direct support to non governmental consumer organizations (training seminars and purchase of basic equipment); carrying out specific in-depth studies such as the economic analysis of the position and the role of the consumer in market transition.

Current projects:
- A Phare Twining project on market surveillance has started with the State Agency on Standardisation and Metrology at the end of 2001.
- Support will be given under the 2001 Twining light project to the Commission on Trade and Consumer Protection for strengthening of its administrative capacity to enforce the legislation. This project will be directed exclusively at practical application of enforcement techniques in the field of product safety.

The present project will be complementary to the above-mentioned projects in the field of product safety and market surveillance.

3.3. Results:

1. Results are expected with regard to the functioning and development of the major institutions set up by the Law on Consumer Protection and Trade Rules of 18 March 1999: the Consumer Protection Department of the Ministry of Economy, the Commission on Trade and Consumer Protection, the Conciliation commissions and the National Council for Consumer Protection.

2. During the implementation of the project, new legislative initiatives will be taken in order to ensure consumers a high level of protection with regard to the protection of their health and safety, their economic interests and their collective interests. Namely the harmonization of Bulgarian consumer legislation with the Acquis communautaire and most recent developments taking place at EU level should be further completed.

3. Increased knowledge, skills and competencies of enforcement officers, namely with regard to market surveillance and product safety controls.

4. Setting up of a co-ordinated and comprehensive approach towards market surveillance.

5. More effective participation of non-governmental consumer associations to the decision-making process and to the enforcement of consumer laws, namely by improving access to the Courts system.
6. Creating conditions for other actors to become active in the enforcement of consumer legislation, i.e. judges, economic operators and individual consumers themselves.
3.4. Activities:

3.4.1. Twinning for Institutional capacity building

a). The Ministry of Economy and the Commission on Trade and Consumer Protection: assessment of internal management and operation, strengthening their role and functions with regard to:

- policy – making in the consumer field: setting up priorities, co-ordination with other State institutions and co-ordination with non-governmental associations and consumer groups;
- market surveillance, including market control activities;
- co-ordination of the 9 territorial units of the Commissions on Trade and Consumer Protection established throughout the country with Consumer Protection departments in the municipalities;
- investigation of infringements and imposition of fines and/or other redress measures (injunctions, product bans and recalls);
- information and education activities;
- setting-up central data banks and/or information flow systems on:
  - consumer products related accidents,
  - dangerous consumer goods circulating on the market place;
- consumer complaints

Special attention will be given to the role and operation of the Commission on Trade and Consumer Protection with regard to market surveillance and product safety controls:

- co-ordination with other enforcement bodies competent on product safety controls and market surveillance, such as the State Agency on Standardisation and Metrology including its directorate on Market surveillance, Customs offices and border control officers, and clarification of the role of each competent body;
- development of risk assessment procedures
- definition of guiding principles on enforcement and market surveillance techniques, including emergency situations
- definition of protocols for joint/thematic inspections
- assessment study on the availability and accuracy of existing laboratories in Bulgaria and on the feasibility of developing testing facilities.

b). The conciliation commissions

- defining uniform rules of operation for an efficient handling of consumer complaints;
- collecting and processing information about consumer complaints;
- increasing their visibility and encouraging their acceptance by the economic actors and individual consumers
- strengthening the internal organization and operation of the National Council for Consumer Protection

c). The National Council for Consumer Protection

- creating the conditions for the functioning of the Council
- exploring the feasibility of the conclusion of collective agreements between consumer associations and professional organizations of traders on particular consumer issues (codes of conduct, standard contract terms, etc).
3.4.2. Assistance on legislative initiatives aiming at the protection of consumers’s health and safety, the economic interests of consumers, and the collective interests of consumers

a). Legislative initiatives to be taken on consumer issues which are part of the Acquis communautaire but have not been integrated yet or have been only partially introduced into Bulgarian law:

- consumer credit
- timeshare agreements
- distance contracts
- comparative advertising
- package travel contracts – especially transposition of article 7 of the package travel directive;
- consumer sales and associated product guarantees Directive
- actions for injunctions
- collective redress schemes and alternative dispute redress systems

b). Assessing the need for legislative initiatives to be taken on consumer issues which have been recently dealt with at the EU level:

- certain legal issues related to electronic contracting (June 2000)
- green paper on consumer contracts (on consumer protection) (October 2, 2001);
- proposal for a regulation concerning sales promotions in the Internal Market (October 2, 2001)

Proposing necessary amendments and/or laws on these two issues.

c). Following the review process of EU consumer Directives having an impact on the recently adopted Law on Consumer Protection and Trade Rules and related consumer protection provisions:

- general product safety
- product liability
- unfair terms in consumer contracts

d). Drafting additional rules and instructions on the following particular issues:

- product withdrawals and recalls
- international private law provisions applicable to consumer contracts

3.4.3. Provision of equipment in line with twining regulations and assistance intended for:

a). Strengthening the internal organization and functioning, as well as the information, and communication tools of the Commission on Trade and Consumer Protection.

b). Strengthening the internal organization of the Conciliation commissions and creating the technical conditions for developing exchanges of information between the Conciliation Commissions.

c). Setting-up a central bank on accidents arising from the use of consumer products, namely by involving a number of hospitals. There is a need to establish such a system in Bulgaria along suitable lines with the EHLASS system.

d). Setting up a rapid exchange of information system on dangerous products placed on the market and linking this system with similar systems existing in neighboring countries and on the European and international scenes Rapex, Trapex, OECD…).
e). Setting up a collecting information database on consumer complaints by standardizing data from different sources of information, such as conciliation commissions, courts, enforcement bodies, Citizen Advice Bureaux and consumer associations.

f). Contributing to the setting-up of a network of Citizens Advice Bureaux on the territory of the country.

Provision of equipment will include basic information and communication technology, such as telephone, fax, personal computer, printer and access to Internet services. Some advanced equipment may be needed for use in market surveillance, such as audio or video recorders or cameras.

3.4.4. Training of specialists coming from the state and local administrations as well as heads of consumer associations aiming at the effective enforcement of the existing consumer protection legislation.

Priority will be given to:

a). training of officers on powers and enforcement techniques related to market surveillance. Further guidance/training is needed to develop the knowledge, skills and competence of inspectors in practical application of enforcement techniques. Particularly such training will improve the legal framework for market surveillance activities in Bulgaria and concern the following issues: sampling, field testing, data storage, goods seizure and product recall procedures. Training should also include guidance on risk assessment and risk management procedures and on the handling of emergency situations.

b). training of the members of the Conciliation commissions on how to handle consumer complaints.

3.4.5. Training of judges and lawyers aiming at making them more aware of the recently adopted consumer legislation and hence more active in the enforcement of these new laws.

3.4.6. Public information campaigns on consumer protection issues.

3.4.7. Promoting access to the courts by consumer groups and by the administrative authorities in charge of consumer protection

The funding of test cases should be envisaged in order to promote collective redress procedures (both actions for injunctions and actions for compensation) actually provided for under the Law on Consumer Protection and Trade Rules of 18 March 1999.

4. Institutional Framework

The following administrative, consultative and non-governmental bodies will be involved in the fulfillment of the project:

- Department for Consumer Protection with the Ministry of Economy;
- Commission on Trade and Consumer Protection with the Ministry of Economy;
- The 9 Conciliation commissions established throughout the country
- The following consumer groups and associations:
- Federation of Consumers in Bulgaria;
- Consumer Centre on Information and Research;
- National Association of Consumers;
- Regional Consumer Union of Plovdiv;
• Regional Consumer Union of Vidin
• Independent Union of Consumers in Bulgaria
• Association on Consumer Advice and Information
• Association of insured persons in Bulgaria;
• Bulgarian Academy of consumers.

The beneficiary of the project is the Ministry of Economy (Department for Consumer Protection and the Commission on Trade and Consumer Protection). The project leader will be a representative of the Ministry of Economy (Consumer Protection Department). The project leader will be responsible for the day to day management and supervision of the project. The Ministry of Economy will provide a full time Project Director and 1 coordinator of the project. A Steering committee will be established by the Project leader prior to the commencement of the current contract. The Deputy Minister responsible for European Integration will be responsible for chairing a high level steering group to coordinate project activities and ensure that the twining partner has appropriate facilities and full access to civil servants of the ministry of Economy. The Steering Committee will consist of representatives of the Consumer Protection Department and of the Commission on Trade and Consumer Protection, representatives of local stakeholders, including non-governmental associations for consumer protection and 2 experts from the contracting Authority. The Steering Committee will ensure the coherent implementation of the current project and will oversee the project as a whole.

5. Detailed Budget (1,0MEURO)

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<th></th>
<th>Phare</th>
<th>Support</th>
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<td>2. Training of trainers and of consumer actors</td>
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<td>3. Provision of equipment and assistance in developing data banks and information flow processes</td>
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<td>1.0</td>
<td>0.002</td>
<td>1.002</td>
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</tr>
</tbody>
</table>

6. Implementation Arrangements

6.1. Implementing Agency
The Implementing Agency for the project will be the CFCU at the Ministry of Finance. The project shall be managed under Phare DIS rules.

Steering Committee will be set up, prior to the commencement of the current project. This committee will be chaired by a Deputy Minister of the Economy. The Steering Committee will consist of not more than 9 members of which 6 local stakeholders including representatives of consumer associations, Department for Consumer Protection and the Commission on Trade and Consumer Protection, 1
representative of the Member State (Project leader) and 2 experts from the contracting Authority. The Steering Committee will ensure the coherent implementation of the project. The Steering Committee will meet on a quarterly basis and will:

- oversee the project as a whole;
- coordinate project’s activities;
- provide guidance to the Project leader;
- facilitate the dissemination project results nationally;
- receive contract reports and be briefed on progress under the contract’s execution.

6.2. Twinning

A twinning covenant will be sought with a Member State. The twinning partner will need to have extensive practical experience at a senior level implementing consumer protection legislation. Experts of the twinning partner must have experience in implementing consumer protection legislation, the management of market surveillance systems and preferably some knowledge of the Bulgarian system for consumer protection. The twinning project will include a Member State Project Leader, who continues to work in his/her Member State administration but who devotes some of his/her time to conceiving, supervising and coordinating the overall thrust of the project. She/he will be complemented by a one full-time expert of the Member State administration, known as Pre-Accession Adviser (PAA), from a Member State to work on a day-to-day basis with the beneficiary, i.e. the Ministry of Economy and accompany the implementation of the twinning project.

Member States submitting their candidature for the project are encouraged to include in their proposed teams some advisers from one or more other EU Member States with a view to obtaining access to best EU practice in the field of consumer protection. The EU partner in the twinning team will need to have experience in designing and implementing management and organisational change, as well as in the enforcement of consumer protection legislation. The PAA will be experienced in implementing consumer protection legislation and carrying out of consumer protection policy. She/he shall be familiar with basic consumer protection problems faced in economies in transition.

The contact person for Twinning is Mr. Emil Alexiev – Head of Consumer Protection Department 8, Slavyanska street, Sofia 1046 e mail: e.alexiev@mi.government.bg Tel. +359.2.988.13.85 fax. +359.2.981.63.46.

In all twinning projects, success in delivering a guaranteed result will depend on the coherence of a number of successive inputs, the continuity of those inputs, and steady progress. Every twinning project will therefore include a Member State Project Leader, who continues to work in his/her Member State administration but who devotes some of his/her time to conceiving, supervising and coordinating the overall thrust of the project. She will always be complemented by at least one full-time expert, known as a Pre-Accession Advisor (PAA), from a Member State to work on a day-to-day basis with the beneficiary in the candidate country and accompany the implementation of the twinning project.

In the event of no suitable twinning proposal is forthcoming, the project will instead be implemented through conventional technical assistance.

6.3. Non-standard aspects

There are no non-standard contracts or tender procedures envisaged within this project. The Reference Manual for “Twinning” Arrangements and the Practical Guide for PHARE, ISPA and SAPARD will be followed.
6.4. Contracts
Convenant with a Member State: The project is to be implemented through a Twinning Covenant

The contact points form Candidate country are:
1. Head of Consumer Protection Department
   Emil Alexiev
   8, Slavyanska Str. - Sofia 1046
   E mail: ealexiev@mi.government.bg
   Tel. +359.2.988.13.85 & Fax. +359.2.981.63.46
2. Commission on Trade and Consumer Protection
   Chairman of the CTCP
   Damian Lazarov
   4 A Slaveikov sq. - Sofia 1000, Bulgaria
   E mail: d.lazarov@ktcp.bg
   Tel. +359.2.987.74.45, Fax. +359.2.987.32.88

7. Implementation Schedule

   7.1. Start of tendering/call for proposals
   Start of searching for Twinning partner: June-December 2002
   Twinning Covenant signed – January 2003

   7.2. Start of project activity
   Twinning covenant launched – March 2003

   7.3. Project Completion
   September 2004

8. Equal Opportunity
Equal opportunity for men and women to participate in all the components of the project will be ensured.

9. Environment – N/A
The project will not have an environment implication.

10. Rates of return – N/A

11. Investment criteria

   11.1. Catalytic effect :

   11.2 Cofinancing :

   11.3. Additionality :
   No other financial sources from the private sector or from IFIs were available for financing this project.

   11.4 Project readiness and Size :
11.5 Sustainability

11.6 Compliance with state aids provisions

11.7 Contribution to National Development Plan

12. Conditionality and sequencing

Projects implemented through twinning require the full commitment and participation of the senior management of the beneficiary institution. In addition to providing the twinning partner with adequate staff and resources (including translation, interpretation) to operate effectively, the senior management must be whole-heartedly involved in the development and implementation of policies and institutional change required to deliver the required results.

The Ministry of Economy will establish by January 2003 an appropriate framework, as described in section 4 for the realisation of the project and supporting the twinning partner. The Deputy Minister of Economy, responsible for European Integration, will chair steering committee to coordinate project activities and ensure that the twinning partner has appropriate facilities (office rooms, provisional seminar rooms, etc) and full access to senior officials.

The following sequencing is envisaged:

- establishment of the Project Steering Committee
- tendering of the EU Twining Project

The provision of equipment mentioned under 4.3.4. will include basic information and communication technology, such as telephone, fax, personal computer, printer and access to Internet services. Some advanced equipment may be needed for use in market surveillance, such as audio or video recorders or cameras. While this project will assist in providing equipment of 5,000 €, the Bulgarian authorities will have to provide themselves the rest of the equipment necessary. The Delegation needs to approve, before implementation commences, the institutional and implementation arrangements.
**LOGFRAME PLANNING MATRIX FOR**

<table>
<thead>
<tr>
<th>Project:</th>
<th>Programme name and number:</th>
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<tr>
<td>Support for the elaboration and effective implementation of the consumer protection legislation and for the strengthening of the institutional structure in the field of consumer protection.</td>
<td>Contracting period expires November 2004</td>
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<tr>
<td></td>
<td>Disbursement period expires November 2005</td>
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<td></td>
<td>Total budget: 1 MEUR</td>
</tr>
<tr>
<td></td>
<td>Phare budget: 1 MEUR</td>
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</table>

**Overall objectives**

1. Assistance for institutional capacity building and creation of the conditions for the effective enforcement of consumer protection legislation and for carrying out of consumer protection policy
2. Building up of consumer confidence in the market of products and services and achieving a high level of protection, including protection of consumers’s health and safety and the protection of the economic interests of consumers.
3. Strengthening of the consumer movement in Bulgaria

**Objectively Verifiable Indicators**

- Conditions will be created for the effective enforcement of existing laws, including the setting-up of an adequate institutional structure on consumer policy and thus achieving a high level of consumer protection

**Sources of Verification**

**Project purposes**

<table>
<thead>
<tr>
<th></th>
<th>Objectively Verifiable Indicators</th>
<th>Sources of Verification</th>
</tr>
</thead>
</table>
| 1. Institutional capacity building: making the Ministry of Economy and the Commission on Trade and Consumer protection operating and strengthening their role and functions both in policy-making and enforcement of consumer legislation; making the Conciliation commissions functioning throughout the country; promoting the development of non-governmental consumer associations and increasing their rights with regard to consumer advice and representation of the consumer interest in policy-making and decision-making processes affecting them; | • Agency on Consumer Protection established by the end of 2004  
• Clear division of competencies of different enforcement authorities will be achieved;  
• Completion of the process of harmonization of legislation;  
• Stronger consumer movement | |
| 2. Further completion and follow-up of the legislative harmonization process with regard to consumer protection; | |
| 3. Training of specialists and of judiciary; | |
| 4. Raising of public awareness on consumer protection issues. | |
### Results

1. Results are expected with regard to the functioning and development of the major institutions set up by the Law on Consumer Protection and Trade Rules: the CTCP, the Conciliation commissions and the National Council for Consumer Protection;
2. During the implementation of the project, new legislative initiatives will be taken in order to ensure consumers a high level of protection.
3. Increased knowledge, skills and competencies of enforcement officers, namely with regard to market surveillance and product safety controls.
4. Setting-up of a co-ordinated and comprehensive approach towards market surveillance.
5. More effective participation of NGO-s to the decision-making process and to the enforcement of consumer laws, namely by improving access to the Courts system.

Creating the conditions for other actors to become active in the enforcement of consumer legislation, i.e. judges, economic operators and individual consumers themselves.

### Objectively Verifiable Indicators

- The Commission on Trade and Consumer Protection meets requirements on Directive 92/59EC, 2001/95 98/6/EC;
- Draft law on Consumer Protection elaborated;
- The existing acquis in the field of consumer protection transposed into Bulgarian law by the end of 2004
- Rationalization of the number of supervisory institutions involved in market surveillance.

### Sources of Verification

- Technical assistance reports
- Monitoring by EC Delegation

### Assumptions

- Output relevant to the needs of protection of consumers

### Activities

1. Technical assistance on institutional capacity building.
   1.1. the ministry of Economy and the CTCP; - setting up priorities in the consumer field, co-ordination with other State institutions, market surveillance, setting up central data banks and/or information flow systems on consumer products related accidents, consumer complaints and dangerous products. Strengthening the internal organization and functioning, as well as the information and communication tools of the CTCP;
   1.2. the Conciliation commissions:
   - Collecting and processing information about consumer complaints;
   - Increasing their visibility;
   - Defining uniform rules of operation for an efficient handling of consumer complaints.
   1.3. the National Council for Consumer Protection.
   Provisions of equipment and assistance to the above-mentioned bodies.
2. Technical assistance on the following legislative topics : consumer credit, timeshare agreements, comparative advertising, dangerous imitations, consumer sales and associated guarantees.
3. Training of specialists.
   3.1. Training of officers on powers and enforcement techniques related to market surveillance
   3.2. Training of the members of the Conciliation commissions.
4. Activities aimed to achieve an effective coordination with the other State institutions. Activities aimed at the rationalization of the large number of supervisory institutions currently involved in trade surveillance and or in product control.
5. Consumer participation related activities:
   5.1. creating the conditions for the functioning of the National Council for Consumer Protection;
   5.2. exploring the feasibility of the conclusions of collective agreements between consumer associations and professional organisations of traders;
   5.3. Promoting access to the courts by consumer groups and by the administrative authorities in charge of consumer protection
6. Creating the conditions for enforcement of consumer legislation by
   6.1. judges, economic operators and individual consumers themselves.
   6.2. Training of judges and lawyers.
   6.3. Public information campaigns.

### Means

- Twinning Covenant
- Filed visits
- Training and education actions: study visits and publications, conferences
- Drafting of legislation in the field of consumer protection;
- Carrying out specific in-depth studies
- Development of co-operation tools and structures between different enforcement bodies;
- Purchase of equipment;
- Direct support to non governmental consumer organizations
- Training seminars
- Public information campaigns

### Assumptions

- The ministry of Economy, the CTCP recruit and retain adequate staff;
- Effective cooperation with the other enforcement authorities having impact on consumer protection
Appendix 2: Implementation Chart

Project: Support for the elaboration and effective implementation of the consumer protection legislation and for the strengthening of the institutional structure in the field of consumer protection.

<table>
<thead>
<tr>
<th>Activities</th>
<th>Calendar months</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
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<td>Preparation of ToRs</td>
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<td>A</td>
<td>M</td>
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<tr>
<td>Identification of Twinning Partner</td>
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<td>J</td>
<td>J</td>
</tr>
<tr>
<td>Approving the Twinning Covenant with EC Delegation</td>
<td></td>
<td>A</td>
<td>S</td>
<td>O</td>
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<td>Signing the Twinning Covenant</td>
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<td>N</td>
<td>D</td>
<td>M</td>
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<td>Start-up of Twinning Activities</td>
<td></td>
<td>J</td>
<td>F</td>
<td>M</td>
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<tr>
<td>Twinning implementation</td>
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<td>A</td>
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<td>A</td>
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<tr>
<td>End of the Project</td>
<td></td>
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<td>J</td>
<td>A</td>
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Annex 3
Contracting and disbursement schedule by quarter

<table>
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<tr>
<th>Contracting</th>
<th>Cumulative contracting schedule by quarter in € m (provisional)</th>
<th>Total</th>
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<td>2002</td>
<td>2003</td>
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<td>Twinning Covenant</td>
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<td>1.0</td>
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<table>
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<tr>
<th>Disbursement</th>
<th>Cumulative disbursement schedule by quarter in € m (provisional)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
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<td>2002</td>
<td>2003</td>
</tr>
<tr>
<td>Twinning Covenant</td>
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<tr>
<td>Total disbursement</td>
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