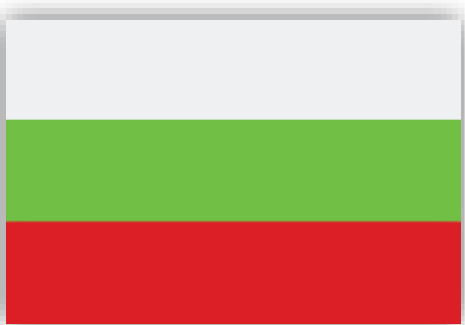


## Questionnaire for Contracting Parties to the 1961 Apostille Convention



**Bulgaria**

## **Table of Contents**

I.	Implementation of the e-APP.....	1
A.	First component: e-Apostille.....	1
B.	Second component: e-Register.....	2
II.	Technology and the e-APP (including the use of digital signatures) .....	2
III.	Issuance of e-Apostilles .....	4
IV.	Operation of an e-Register.....	5
V.	Issues with e-Apostilles.....	6
VI.	Education and training.....	6
VII.	Miscellaneous.....	7
VIII.	Additional information & supporting documents .....	7

# Questionnaire for Contracting Parties to the 1961 Apostille Convention

Please note that not all questions require a response from all Contracting Parties; some are directed only at Contracting Parties that have not implemented one or both components of the e-APP. Likewise, other questions are addressed solely to those who have implemented and operate the e-APP.

## I. Implementation of the e-APP

The questions below are intended to identify all Contracting Parties that have implemented one or both components of the e-APP (*i.e.*, those that issue e-Apostilles and/or operate an e-Register). Likewise, for Contracting Parties that have implemented neither component, the questions seek to clarify the stage they have reached in considering the e-APP, as well as the challenges that may be preventing its implementation.

### A. First component: e-Apostille

#### 1 Does your State issue e-Apostilles?

Yes, e-Apostilles have been issued since *June 2020 only by the National Center for Information and Documentation*.

No, e-Apostilles have not been implemented yet.

If not, please specify:

We are studying the use of e-Apostilles and plan to implement the e-Apostille component.  
Please specify, if relevant: N/A

We are not currently planning to implement the e-Apostille component.

**For Parties that answered “No, e-Apostilles have not been implemented yet”, please answer question 1.1**

#### 1.1 What challenges is your State facing that may prevent it from implementing e-Apostilles?

*More than one answer is possible.*

Internal law limitations.

Judicial or administrative structure.

Implementation challenges (e.g., lack of resources, lack of infrastructure).

Cost.

System interoperability / compatibility.

Security concerns.

Other – please specify: N/A

If relevant, please explain any of the options above: N/A

#### 2 Regardless of whether your State currently issues e-Apostilles, are your receiving agencies equipped or able to accept and process incoming e-Apostilles (*i.e.*, e-Apostilles issued by other Contracting Parties)?

Yes, all e-Apostilles can be processed.

Yes, but on certain conditions – please specify: N/A

No – please explain why not: N/A

Unknown.

Please explain further any of the items above, if relevant: *[All e-Apostilles can be accepted by the National Centre for Information and Documentation. We do not have such information regarding other receiving agencies in Bulgaria.]*

## B. Second component: e-Register

### 3 Does your State maintain an e-Register?

Yes, an e-Register has been implemented on *1st of June 2013 by the Ministry of Education and Science. This e-Register is now used and maintained by NACID. In Bulgaria, there are four authorities that issue Apostilles – the Ministry of Justice, the National Centre for Information and Documentation, the regional administrations, and the Ministry of Foreign Affairs – each of which maintains its own separate e-Register.*

If yes, please indicate any specific features of your e-Register (e.g., whether your State maintains multiple e-Registers, different types of e-Registers for various Competent Authorities, or separate registers for paper and e-Apostilles, etc.): N/A

No, an e-Register has not been implemented yet.

If not, please specify:

We are studying the use of an e-Register and plan to implement the e-Register component.

Please specify, if relevant: N/A

We are not currently planning to implement the e-Register component.

**For Parties that answered “No, an e-Register has not been implemented yet”, please answer question 3.1:**

#### 3.1 What challenges is your State facing that may prevent it from implementing an e-Register?

*More than one answer is possible.*

Internal law limitations.

Judicial or administrative structure.

Implementation challenges (e.g., lack of resources, lack of infrastructure).

Cost.

System interoperability / compatibility.

Security concerns.

Other – please specify: N/A

If relevant, please explain any of the options above: N/A

## II. Technology and the e-APP (including the use of digital signatures)

The questions below are intended to further understand how Contracting Parties recognise and use electronic or digital signatures, and how electronic public documents interact with the Apostille process, particularly in cases where the e-Apostille component has not yet been implemented.

For the purposes of this questionnaire, an **electronic signature** is a name, initial, mark or symbol that is affixed to, or logically associated with, a document or other record in electronic form, to evidence the signing of that document or record. A **digital signature** is a special type of electronic signature which works with encryption technology and can be authenticated using a digital certificate.

### 4 Under your internal law, for your own domestic public documents, do you recognise electronic / digital signatures as functionally equivalent to handwritten (wet) signatures (i.e., allowing your public documents to be signed electronically)?

Yes, please specify (including whether there are any requirements or technical standards for using electronic / digital signatures): *[Article 13(4) of the Electronic Document and Electronic Trust Services Act (title amended – State Gazette, No. 85 of 2017) states:*

*“The legal effect of an electronic signature and a digital signature shall be equivalent to that of a handwritten signature, where this has been agreed between the parties.”*

*Furthermore, under Article 25(2) of Regulation (EU) No 910/2014 (eIDAS), a qualified electronic signature (digital signature) shall have the equivalent legal effect of a handwritten signature.]*

No.

Other – for example, electronic signatures are only permissible for certain categories of documents. Please specify: N/A

Unknown.

**For Parties that answered Q.4 affirmatively, please answer question 4.1:**

**4.1 For incoming electronic public documents (i.e., those issued by other Contracting Parties), does your State impose specific requirements or technical standards for accepting electronic / digital signatures?**

Yes – please specify the applicable requirements or technical standards: N/A

No.

Other – please specify: *[There are no specific requirements for the acceptance of electronic public documents issued by other Contracting Parties. However, Article 27 of the Ordinance on Electronic Signature Certificates in Administrations provides that:*

*“Persons performing verification of a qualified electronic signature shall use a combination of software and hardware that ensures that:*

*1.the data used for verifying the electronic signature correspond to the data displayed to the person performing the verification;*

*2.the signature is duly verified and the results of that verification are displayed to the person performing the verification;*

*3.the content of the signed statement can be duly established;*

*4.the authenticity and validity of the electronic signature certificate at the time of verification are duly verified;*

*5.the results of the verification and the identity of the signatory are correctly displayed;6.any security-related changes can be detected.“*

*This implies that any electronically signed document submitted to administrative authorities in Bulgaria is expected to bear a qualified electronic signature that can be duly verified.]*

Unknown.

**5 Under your internal law, do foreign electronic public documents have the same probative value as paper public documents?**

Yes – Please specify (including whether your receiving agencies are able to accept and process incoming electronic public documents): *[Yes, the National Centre for Information and Documentation accepts and processes documents bearing qualified electronic signatures.]*

No.

It depends – please specify: N/A

Other – please specify: N/A

Unknown.

If relevant, please explain further any of the options above: N/A

**6 Under your internal law, are public documents executed, or able to be executed, in electronic form (whether or not they are to be used abroad under the 1961 Apostille Convention)?**

Yes, all public documents are executed or able to be executed in electronic form.

Yes, certain categories of public documents are executed or able to be executed in electronic form.

No, public documents are never executed in electronic form.

If relevant, please explain any of the options above: N/A

**For Parties that answered affirmatively and execute, or are able to execute, public documents in electronic form, please answer question 6.1:**

**6.1 Can electronic public documents issued in your State be verified by foreign receiving agencies?**

Yes – please specify how they can be verified: *[The digital signature affixed to the document may be verified. Such verification is typically carried out using a qualified validation service or dedicated software, which confirms the validity of the digital certificate, the identity of the signatory, and the integrity of the document.*

*In addition, the document itself may be retrieved and verified in an official register, where such a register is maintained. In this regard, the National Centre for Information and Documentation maintains registers for all documents it issues, enabling their verification.]*

No.

Other – please specify: N/A

Unknown.

**6.2 If your State executes, or is able to execute, electronic public documents but has not implemented the e-Apostille component, how is an Apostille issued for such electronic documents?**

The public document must first be executed in paper format.

A hard copy of the electronic public document is printed and a paper Apostille is issued and attached.

Other – please specify: N/A

### III. Issuance of e-Apostilles

The questions below are intended to identify any requirements or conditions that Contracting Parties may impose for issuing e-Apostilles, as well as to understand the procedures followed by the Competent Authorities and how the underlying public document is treated.

**7 Does your State have any requirements, conditions, or limitations for issuing e-Apostilles? If so, please describe them (e.g., requirements concerning the identity of the applicant; the use of specific platforms or digital solutions for applications; the nature or the form of the underlying public document; etc.).**

Yes – please specify: N/A

No.

Please explain further any of the items above, if relevant: N/A

**8 Under your internal law, which of the following formats of public documents are eligible for the issuance of e-Apostilles?**

*More than one answer is possible.*

Electronic public documents.

Paper public documents that have been scanned by a public official.

Paper public documents that have been scanned by applicants.

If relevant, please explain any of the options above: N/A

**9 Does your State issue paper Apostilles alongside e-Apostilles?**

Yes.

No, we only issue e-Apostilles.

- 9.1 If **yes**, please indicate the proportion of e-Apostilles issued in comparison to paper Apostilles. If known, provide any specific reasons that may explain the difference in proportions.

*[As of mid-2020, following the commencement of e-Apostille issuance by NACID, e-Apostilles represent approximately 12% of all Apostilles issued.]*

- 9.2 If **yes**, what are the criteria for issuing paper Apostilles versus e-Apostilles (e.g., is the nature or the form of the underlying public document decisive, or can applicants choose between the two formats)?

*[Applicants can choose between the two formats.]*

- 9.3 If **not**, how does your State issue e-Apostilles for paper-based documents?

N/A

- 10 When issuing e-Apostilles for electronic public documents, does your State preserve the electronic / digital signature of the underlying document?

Yes, the electronic / digital signature is preserved. Please explain how this is done: N/A

No, only the electronic / digital signature of the e-Apostille is preserved.

If relevant, please explain any of the options above: N/A

- 11 When issuing e-Apostilles, how does your Competent Authority complete the standard informational items on the Certificate? Please indicate whether there are any differences compared with issuing paper Apostilles or authenticating paper public documents.

The Competent Authority completes all standard informational items in the same manner as when issuing paper Apostilles or authenticating paper public documents.

The Competent Authority completes the items differently as follows:

- Items 2-4: N/A
- Items 7 and/or 10: *[The e-Apostille is signed with a qualified electronic signature, and images of the handwritten signature of the signatory and the seal of NACID are displayed alongside it. In the case of paper documents, a handwritten signature is affixed, together with a stamp indicating the name and position of the signatory, as well as the official seal of NACID.]*

- 12 In addition to the digital signature, does your e-Apostille include any other security or technical features, such as QR codes, encryption, digital watermarks, or similar measures?

*[Yes, our e-Apostille includes a QR code for verification.]*

#### IV. Operation of an e-Register

- 13 What particulars are contained in your e-Register?

*More than one answer is possible.*

Number and date of the Apostille (required).

Name and capacity of the person signing the document and / or the name of authority whose seal or stamp is affixed (required).

Name and / or type of underlying document.

Description of the contents of underlying document.

Name of the applicant.

State of destination.

Copy of the Apostille.

Copy of the underlying public document.

Other – please specify: N/A

If relevant, please explain any of the options above: N/A

## V. Issues with e-Apostilles

The questions below are intended to assess the practical acceptance of e-Apostilles among Contracting Parties to the 1961 Apostille Convention. They aim to identify whether e-Apostilles issued or received by a Contracting Party have ever been refused, the reasons for any such refusals, and the actions taken in response.

14 **Has an e-Apostille issued by your Competent Authority ever been refused by the authorities of another Contracting Party?**

Unknown.

No.

Yes, please provide any further information, in particular the reasons why the e-Apostille was refused, if known: *[Some e-Apostilles issued by us have been refused, as some receiving agencies do not have systems in place that are adapted to process e-Apostilles.]*

15 **If an e-Apostille has been rejected, what actions were taken in response?**

*More than one answer is possible.*

A paper Apostille was issued instead.

Contacted the receiving authority.

Contacted the Competent Authority of the place of destination.

Contacted nearest diplomatic mission of the place of destination.

Contacted own diplomatic mission accredited to the place of destination.

Contacted the Permanent Bureau.

No action taken.

Other, please specify: N/A

Unknown.

If relevant, please explain any of the options above: N/A

16 **Has an e-Apostille received by your authorities ever been refused?**

Unknown.

No.

Yes, please provide any further information, in particular the reasons why the e-Apostille was refused, if known: N/A

If relevant, please explain any of the options above: N/A

## VI. Education and training

17 **Has your State implemented training activities or issued any guidelines on the operation of the e-APP for officers in the Competent Authority(ies)?**

No.

Yes, please specify: *[At NACID, the issuance of e-Apostilles has been taking place for almost six years, and related training is included as part of the general training that our staff undergo upon assuming their positions.]*

18 **Has your State implemented training activities or issued any guidelines on the acceptance of e-Apostilles and the operation of e-Registers for receiving authorities?**

No.

Yes, please specify: N/A

If your State has issued guidelines or supporting documentation for receiving authorities, please indicate the format used, the type of information included, how the documents have been distributed, and how frequently they are issued, if known: N/A

19 **Is / Are your Competent Authority(ies) willing and able to meet with other Competent Authorities to discuss the implementation and operation of the e-APP and to exchange experiences?**

Yes, please specify: *[The e-Apostille issuance process at NACID operates efficiently and has been time-tested; therefore, we are open to sharing our expertise with others, as we have already done in practice.]*.

No, please specify: N/A.

Unknown.

## VII. Miscellaneous

20 **Do you have any suggestions that could assist in the promotion, implementation, and / or operation of the e-APP?**

No.

Yes – please specify: *[Long-term collaborative initiatives can be established between countries that have effective e-Apostille systems and those that do not, with the aim of sharing expertise and implementing best practices for the development of an e-Apostille component.]*

21 **Are there any specific topics or practical issues related to the e-APP that your State would like have discussed at the 14<sup>th</sup> International Forum on the e-APP?**

No.

Yes – please specify: N/A

22 **Please confirm whether your responses to this questionnaire can be published on the HCCH website.**

No.

Yes – please specify whether certain questions should not be published: N/A

## VIII. Additional information & supporting documents

23 Please indicate any additional information or documentation to support your response. This may include resources for the general public or guidelines for Competent Authority staff, as well as any recent judicial decisions, legislative developments, books, articles, or published works relevant to the operation of the 1961 Apostille Convention.

N/A

Please attach any relevant documents when submitting the questionnaire to [secretariat@hcch.net](mailto:secretariat@hcch.net).

Thank you for taking the time to complete this questionnaire.