

# **LAW ON THE INTEGRATION OF PEOPLE WITH DISABILITIES**

This Law shall enter into force on 01 January 2005.

Published State Gazette No 81/17.09.2004

## **CHAPTER ONE**

### **GENERAL PROVISIONS**

#### *Article 1*

This Law shall regulate the public relations regarding the integration of the people with disabilities.

#### *Article 2*

The purpose of this Law shall be to provide conditions and guaranties for:

1. equality for the people with disabilities;
2. social integration and exercising the rights of the people with disabilities;
3. support to the people with disabilities and their families;
4. integration of the people with disabilities in the working environment.

#### *Article 3*

No form of discrimination, neither direct nor indirect shall be allowed against people with disabilities.

#### *Article 4*

The integration of people with disabilities shall be implemented through:

1. medical and social rehabilitation;
2. education and vocational training;
3. employment;
4. accessible living and architectural environment;
5. social services;
6. social-economic protection;
7. accessible information.

## **CHAPTER TWO**

### **MANAGING BODIES**

#### *Article 5*

- (1) The Council of Ministers shall outline the policy of the state regarding the integration of people with disabilities.
- (2) The policy of the state for integration of people with disabilities shall be implemented by the Council of Ministers, the Minister of the Labour and Social Policy, heads of the regional governance, bodies of the local self-governance in co-operation with national represented organisations of and for people with disabilities, national represented organisations of employers and national represented organisations of workers and servants in compliance with the adopted national strategy for equal opportunities for people with disabilities.
- (3) The state bodies and the bodies of the local self-governance, in accordance to their powers, shall adopt legal acts, strategies, programmes, standards and other documents related to the integration of people with disabilities.

#### *Article 6*

- (1) National Council for integration of people with disabilities shall be established to the Council of Ministers for performing a co-operation in policy developing and conducting in the field of integration of people with disabilities.
- (2) The National Council for integration of people with disabilities shall be a consultative body, in which the following shall take part: representatives of the state, pointed out by the Council of Ministers, representatives of national represented organisations of people with disabilities, national represented organisations of people with disabilities, national represented organisations of workers and servants, national represented organisations of employers and the National Association of the Municipalities in the Republic of Bulgaria.
- (3) Legal acts related to people with disabilities shall be adopted after the National council for integration of people with disabilities issues a preliminary opinion.
- (4) The Council of Ministers shall adopt Rules of Procedure of the National council for integration of people with disabilities, and shall define performance criteria for organisations of people with disabilities, and organisation for people with disabilities.

#### *Article 7*

- (1) Agency for people with disabilities shall be established in view to implement the state policy for integration of people with disabilities.
- (2) The Agency shall be a legal person on budgetary allowance, second level spending unit, with main office in Sofia, and shall have a status of executive agency to the Minister of labour and Social Policy.
- (3) The Agency for people with disabilities shall be represented and managed by executive head.
- (4) The activity, the structure and the staff number of the Agency for people with disabilities shall be set up in its Rules of Procedure, which shall be adopted by the Council of Ministers upon a proposal from the Minister of Labour and Social Policy.

#### *Article 8*

The Agency for people with disabilities shall perform the implementation of the state policy for integration of people with disabilities by:

1. approving production, import, sales and maintenance of supportive devices, appliances and facilities, and controlling adherence to the approved criteria and standards for provision of supportive devices;
2. keeping a Register of the specialised enterprises and co-operatives of people with disabilities;
3. participating and mandatory issuing an opinion in drafting legislation related to people with disabilities;
4. developing programmes and funding projects for encouraging the business initiative of people with disabilities and business initiative which shall benefit people with disabilities;
5. perform additional activities provided by act of Council of Ministers.

#### *Article 9*

- (1) The Agency for people with disabilities shall establish and maintain information database about people with permanent disabilities.
- (2) The data under Paragraph 1 shall be used for record the number and for analysis of social-economical status of people with disabilities for planning activities, related to meet the necessities for education, medical and social rehabilitation.
- (3) The national expert panel of physicians, the territorial expert panels of physicians, the National Social Security Institute, the National Statistical Institute, the National Centre for Health Information, the State Agency for Child Protection and other bodies working in the field of people with disabilities shall provide the information necessary to establish and maintain the database under Paragraph 1.
- (4) The information in the database shall be entered officially and shall be used for the purposes referred to in Paragraph 2.
- (5) The access to the database may be denied in cases when information, which presents personal data has been required, if the natural person in view does not agree the information to be revealed, in compliance with the Law on the protection of personal data.
- (6) The order of keeping and maintaining the database under Paragraph 1 shall be regulated by the Rules for implementation of this Law.

### CHAPTER THREE

#### DISABILITY AND ABILITIES FOR INTEGRATION ASSESSMENT

#### *Article 10*

Disability assessment shall be done through medical expertise and social assessment.

#### *Article 11*

The medical expertise shall be done under the terms and conditions of the working capacity medical expertise.

#### *Article 12*

- (1) The social assessment shall be done on the basis of the medical expertise and it shall identify:
  1. necessities for rehabilitation;
  2. abilities for professional realisation;
  3. abilities for social integration.
- (2) The social assessment shall be done upon a request by:
  1. person with disability;
  2. parent (adoptive parent), guardian or trustee of person with disability;
  3. family of relatives, near relations or foster family where the child with disabilities was placed under the provisions of Article 26 from the Law on the child protection.
- (3) Personal plan for social integration may be drafted on the basis of the social assessment.

#### *Article 13*

- (1) The social assessment shall include:
  1. assessment of the circumstances referred to in Article 12, Paragraph 1;
  2. recommendation of the necessary measures for the social inclusion;
  3. motivated proposal for granting monthly allowance for social integration referred to in Article 42, in case the allowance shall be found out as necessary;
- (2) The social assessment referred to in Paragraph 1 shall be carried out by consultative commission to Social Assistance Directorates of the Social Assistance Agency;
- (3) The panels of the commissions referred to in Paragraph 2 shall be approved by an ordinance of the Head of the Social Assistance Directorate and it shall include:
  1. experts from Social Assistance Directorate of the Social Assistance Agency appointed by the Head of the Social Assistance Directorate;
  2. municipal representatives appointed by the respective mayor;
  3. expert of the Labour Office Directorate appointed by the Head of the Labour Office Directorate of the National Employment Agency;
- (4) Other specialists shall be included upon necessity;
- (5) The activity, operating rules of the commission referred to in Paragraph 2 and term of validity of the social assessment shall be set up in the Rules for implementation of this Law.

## CHAPTER FOUR

### AREAS OF INTEGRATION

#### Section One

#### Prophylactics and rehabilitation of disabilities

#### *Article 14*

- (1) The Council of Ministers shall adopt programmes for prophylactics, in which the priority objectives, measures and means for prevention of disabilities shall be set up.
- (2) The Council of Ministers, upon a proposal from the Ministry of Health shall adopt programmes for early diagnostics and prophylactics of the genetic diseases.
- (3) Bodies of the local self-government, national represented organisations of people with disabilities, national represented organisations of employers, and national represented organisations of employees shall assist disabilities prevention through:
  1. health and ecological education for limiting the risk factors, relating to way of living and environment;
  2. health prophylactics;
  3. ensuring safety and health at work.

#### *Article 15*

- (1) People with permanent disabilities shall have the right of medical and social rehabilitation.
- (2) The medical rehabilitation presents medical activity carried out by multidisciplinary teams under the provisions of the Law on the health establishments and the Law on the health insurance, which shall include:
  1. supportive pharmacotherapy;
  2. physical therapy;
  3. speech and visual therapy;
  4. kinesitherapy;
  5. ergotherapy;
  6. psychotherapy;
  7. occupational therapy;
  8. prescription of supportive devices and facilities.
- (3) Families of the people with permanent disabilities may participate in the medical prophylactics in case the medical process requires so.
- (4) The social rehabilitation presents establishment of abilities for independent living through rehabilitation of the visual, hearing, speaking and moving capacities, psychological assistance, provision of social services and other activities.

### Section Two

#### Education and professional training

#### *Article 16*

Teams for comprehensive pedagogical assessment and integrated education of children with disabilities shall be established to the regional inspectorates of the Ministry of Education and Science.

Resource centres for integrated education, which shall support the integrated education of the children with disabilities, shall be established to the Ministry of Education and Science.

#### *Article 17*

The Ministry of Education and Science shall ensure:

1. pre-school and school education for children with disabilities at the respective age in the schools referred to in Article 26, Paragraph 1, points 1- 10 from the Law on the public education, and in the kindergartens referred to in Article 18 from that Law;
2. supportive environment for integrated education of children with disabilities;
3. early aural-speech, logopaedical and psychological rehabilitation and rehabilitation of blind children and children with impaired sight;
4. text books, educational materials, modern technologies and technical devices for education of children with disabilities up to 18 years old, or up to completion of their secondary education;
5. professional training of children with disabilities.

#### *Article 18*

The Ministry of Education and Science shall provide opportunities for education of children with special educational needs, and who are not integrated into general educational environment.

#### *Article 19*

Persons, whose disability has occurred after 16 years of age, shall have the right of additional free education on programmes for general and professional education and adults' education, as well as of initial rehabilitation on specific programmes for basic abilities.

#### *Article 20*

High schools shall ensure:

1. supportive environment, special facilities, suitable educational materials and additional teachers' assistance, which to support the educational and assessment process of people with disabilities;
2. training of specialists to work with people with disabilities;

#### *Article 21*

Professional training of people with disabilities shall be provided by:

1. the National Employment Agency;
2. employers or appointing bodies;
3. natural persons registered under the provisions of the Law on the trade, and legal persons providing social services to people with disabilities;

4. specialised enterprises and co-operatives.

### Section Three

#### Employment and Occupation

##### *Article 22*

The employment and occupation of people with disabilities shall be carried out in integrated and in specialised working environment.

##### *Article 23*

- (1) The Ministry of Labour and Social Policy and the National Employment Agency shall develop and implement national programmes and measures for encouraging employment, which ensures equal opportunities to people with disabilities to participate on the labour market.
- (2) Resources for encouraging employers, who provide employment to and occupation of people with disabilities, shall be provided in the programmes and measures under Paragraph 1.

##### *Article 24*

The employer, respectively the appointing body shall be obliged to adapt the working place to the needs of the person with disabilities at his/her appointment or in case the disability occurs after his/her appointment - when it occurs, unless the expenses required are unreasonably high and would bring serious burden to the employer.

##### *Article 25*

- (1) The employer, respectively the appointing body may apply with projects before the Agency for people with disabilities to receive grants for:
  1. providing access to the working place to person with disability;
  2. adapting the working place of person with disability;
  3. providing equipment to the working place to person with disability.
- (2) The Agency for people with disabilities shall define the amount of the administrated resources for funding employers' projects referred to in Paragraph 1 on annual base.
- (3) The Agency for people with disabilities shall provide resources for the approved projects on the basis of concluded contract with the employer.
- (4) The employer shall employ people with permanent disabilities for period not less than three years after absorption of the resources under Paragraph 3.
- (5) The employer who has not absorbed the resources in compliance with the contract under Paragraph 3, or has not employed people with permanent disabilities, should recover the received amount together with the legal interest to it.
- (6) The order for applying and receiving the resources referred to in Paragraph 1 shall be set up in the Rules for implementing this Law.

### *Article 26*

Employer who has concluded a contract under Article 25, Paragraph 3, shall enjoy the following benefits in case no such benefits have been used under the provisions of the Law on the employment promotion:

1. resources out of the state budget for 30% of the paid by the employer public insurance contributions, obligatory health insurance contributions and additional obligatory pension insurance contributions for employees with disabilities under the provisions set up in the Rues for implementing this Law;
2. the resources spent for the objectives referred to in Article 25, Paragraph 1 shall be accounted under the provisions of the accounting legislation in force and, in case of taxation, the general provisions of the Law on the corporate income taxation shall be applied.

### *Article 27*

- (1) The employer shall design not less than  $\frac{1}{2}$  of the general number of the positions referred to in Article 315, Paragraph 1 from the Labour Code for people with permanent disabilities.
- (2) The employer shall be obliged to inform local units of the National Employment Agency about the designed positions under Paragraph 1, and to announce free positions within 14 days of their designation.

### *Article 28*

- (1) Specialised enterprises and co-operatives of people with disabilities are those enterprises and co-operatives, which meet the following requirements:
  1. they are registered under the Law on the trade or under the Law on the co-operatives;
  2. they produce goods or provide services;
  3. the relative share of the people with disabilities is as follows:
    - (a) for specialised enterprises and co-operatives of blind persons and persons with impaired sight – not less than 20% of the total staff number;
    - (b) for specialised enterprises and co-operatives of deaf persons and persons with impaired hearing – not less than 30% of the total staff number;
    - (c) for specialised enterprises and co-operatives of people with other disabilities – not less than 50% of the total staff number;
  4. they are entered in the Register referred to in Article 29.
- (2) The specialised enterprises and co-operatives of people with disabilities might be funded by the Agency for people with disabilities through earmarked projects and programmes under the provisions of the Rules for implementing this Law.

### *Article 29*

- (1) Specialised enterprises and co-operatives for people with disabilities shall be entered into the Register of the Agency for the people with disabilities.

- (2) The order of entering into the Register referred to in Paragraph 1 shall be set up in the Rules for implementing this Law.

*Article 30*

The Council of Ministers shall specify goods and services, which shall be produced following the order provided by the Law on the public procurement for the specialised enterprises and co-operatives of people with disabilities.

*Article 31*

The executive head of the Agency for the people with disabilities shall approve programmes and projects for initiating and developing independent business activity by people with disabilities under the provisions of the Rules for implementing this Law.

Section Four

Establishing conditions for accessible living and architectural environment

*Article 32*

The state bodies and the bodies of the local self-government shall organise the construction and building up of urban territories for the population, including people with disabilities, under the terms and conditions specified by the Law on the structure of the territory.

*Article 33*

The Ministry of the Regional Development and Public Works shall establish conditions for accessible living and architectural environment to people with disabilities, by developing legal acts, rules, norms and standards for:

1. the urban territory and its elements;
2. buildings, facilities and their elements;
3. elements for adaptation of the existing buildings for public use and adjoining environment.

*Article 34*

The Ministry of the Transport and Communications shall establish conditions for access of people with disabilities to transport services by developing legal acts and standards for:

1. ensuring accessible transport for public use;
2. introducing technical facilities into the public life and public transport in view to make easier transportation of people with disabilities;
3. ensuring special conditions for transportation, stopping, parking and stay of transport vehicles, driven by people with disabilities or transporting people with disabilities;

4. ensuring unimpeded access in the vehicles for public transport of people with disabilities, accompanied by guide dogs.

*Article 35*

- (1) The Minister of Labour and Social Policy shall issue ordinance for the terms and conditions of production, import, sales and maintenance of supportive devices, facilities and appliances for people with disabilities.
- (2) Import of supportive devices and materials for their production and maintenance shall be free of import duties and value added tax.
- (3) The Minister of labour and Social Policy shall approve list of supportive devices, facilities and appliances for people with disabilities on an annual base.

*Article 36*

The Ministry of Youth and Sports and the Ministry of the Education and Science, in co-operation with municipalities, sport federations and sport clubs shall establish conditions for social integration of people with disabilities through:

1. adapting and placing the sport sites and facilities at the disposal of people with disabilities to use them;
2. promoting sport events for people with disabilities through the media;
3. assisting participation of disabled players in training activities and sport events;
4. assisting children and teenagers activities outside schools.

*Article 37*

The Ministry of the Culture, in co-operation with municipalities, shall ensure conditions for integration of people with disabilities through:

1. providing specialised information about utilisation of services, routes, architectural-transportation and other facilities in public places for relaxation and culture;
2. supporting development of the talents and encouraging creative acts of people with disabilities.

*Article 38*

The municipalities within their competencies shall ensure:

1. construction of accessible architectural environment in kindergartens and schools;
2. accessible public transport by adapting the existent vehicles for public transport and introducing technical adapted vehicles for transport for people with disabilities;
3. access of people with disabilities accompanied by guide dogs to public places;
4. special transport services for people with disabilities;
5. necessary material conditions and means for social contacts of people with disabilities.

*Article 39*

- (1) The Bulgarian National Television, Bulgarian National Radio and Bulgarian Telegraph Agency shall provide information, which is accessible for people with disabilities.
- (2) The media referred to in Paragraph 1 shall include in their programmes specialised emissions for people with disabilities.

## Section Five

### Social-economical Protection

#### *Article 40*

- (1) The resources for the 30% of the paid by the employer public insurance contributions, obligatory health insurance contributions and additional obligatory pension insurance contributions for employees with employment contracts with specialised enterprises, occupational-health establishments and co-operatives of people with disabilities, members of national represented organisations of people with disabilities and of national represented organisations for the people with disabilities.
- (2) The resources referred to in Paragraph 1 shall be used for investments, rehabilitations and social integration of people with disabilities.
- (3) Specialised enterprises, occupational-health establishments, differentiated productive units and co-operations shall enjoy tax benefits, regulated by the Law on the corporate income taxation and by the Law on the natural persons income taxation.

#### *Article 41*

People with permanent disabilities, who receive incomes out of employment and occupation, shall enjoy taxation benefits under the terms and conditions regulated by the Law on the natural persons income taxation.

#### *Article 42*

- (1) People with permanent disabilities shall have the right of monthly allowance for social integration according to the kind and the level of disability and their personal necessities.
- (2) The allowance referred to in Paragraph 1 shall be differentiated and shall present pecuniary means supplementary to the own incomes and shall be allocated for covering of additional expenses for:
  1. transport services;
  2. information and telecommunication services;
  3. education;
  4. spa recreation and rehabilitation services;
  5. healthy diets and medicines;
  6. accessible information;
  7. satisfying other basic living necessities.
- (3) The total amount of the monthly allowance referred to in Paragraph 1 shall be formed as a total sum of the means under Paragraph 2.

- (4) The allowance shall be allocated upon a proposal of the commission referred to in Article 13, Paragraph 2, on the basis of the social assessment.
- (5) The allowance shall be allocated on the basis of application submitted by the rightful person or other person authorised by him/her.
- (6) After examination of all circumstances, reflected in the social assessment, the head of Social Assistance Directorate or other official authorised by him/her shall issue ordinance for allocation of allowance.
- (7) The ordinance for allocation of allowance or denial for allocation of allowance shall be communicated in written form to the applicant within 7 days of its issue.
- (8) The denial for allocation of allowance for social integration shall be obligatory motivated.
- (9) The ordinance referred to in Paragraph 6 may be appealed before the head of the Social Assistance Regional Directorate following the terms and conditions of the Law on the administrative procedure.
- (10) People with permanent disabilities, who are placed in health establishments and specialised institutions for period longer than one month, on complete state or municipal support, shall not have the right to receive the allowance referred to in Paragraph 1, for the period of their stay in the above-mentioned establishments or institutions.
- (11) Takings of the persons for monthly allowances for social integration shall be liquidated within three months term from the end of the month which they are related to.
- (12) Specifying the amount, terms and conditions for allocation, termination and renewal of the allocation of the allowance referred to in Paragraph 1 shall be provider by the Rules for implementing this Law.

#### *Article 43*

- (1) Right of monthly allowance of 70% from the guaranteed minimal income for children with permanent disabilities until 18 years of age and until graduation from secondary school, but not later than 20 years of age shall have:
  1. parents (adoptive parents) in case they look after children with permanent disabilities;
  2. families of relatives, near relations or foster family where children with permanent disabilities are places under the provisions of Article 26 from the Law on the child protection.
- (2) The rightful persons under Paragraph 1 shall receive the monthly allowance from Social Assistance Directorates of the Social Assistance Agency according to the permanent address.
- (3) In case the children are placed in health establishments or in specialised institutions for period longer than one month, on complete state or municipal support, the rightful persons shall not have the right to receive the allowance referred to in Paragraph 1, for the period of the stay in the above-mentioned establishments or institutions.
- (4) The right of monthly allowance referred to in Paragraph 1 shall be liquidated within three years term from the end of the month which they are related to.

#### *Article 44*

- (1) People with permanent disabilities, according to their necessities shall have the right of earmarked allowances and relief for:
  1. purchase and adaptation of personal vehicle and adaptation of a parking place;
  2. import of personal vehicle;
  3. reconstruction of the home;
  4. attendants for persons with impaired sight, persons with impaired movement and interpreters for persons with impaired hearing.
- (2) The import, by people with permanent disabilities, of personal vehicles whose equivalent price in BGN, capacity and power of the engine are up to certain indicators set up by the Council of Ministers, shall be free of duty taxes and free of value added tax under the Law on the value added tax.
- (3) People with disabilities, according to their necessities, shall have the right of earmarked allowances and relief for purchase and repair of technical supportive devices, facilities and appliances for compensation of the disability, following the list, approved annually by the Minister of the Labour and Social Policy;
- (4) The amount of the earmarked allowances and relief, the terms and conditions for their allocation shall be provided by the Rules for implementing this Law.

#### *Article 45*

- (1) The monthly allowances and the allowances referred to in Articles 42, 43 and Article 44, Paragraph 1, points 2 and 4 shall be free of duties and taxes.
- (2) The right of monthly allowances and assistance is personal. Cessions of that right, as well as its disposal are inoperative.
- (3) No deductions might be collected from the monthly allowances and assistance;
- (4) Unconscionably received allowances and assistance should be recovered together with the interest to it under the procedure for collecting public takings.
- (5) Persons who have received unconscionably monthly allowances and assistance shall be deprived of such allowances and assistance for period of one year.

#### *Article 46*

The period during which the persons have been looking after person with permanent disability and they have not been socially secured, shall be recognised for insured period in case of retirement under the terms and conditions of the Social Security Code. For that same period the persons shall be recognised health insured under the terms and conditions of the Law on the health insurance.

#### *Article 47*

Students with permanent disabilities, as well as children with parents with permanent disabilities shall have the right of scholarship grants and other relief under the terms and conditions of the Law on the public education and the Law on the higher education.

#### *Article 48*

The municipalities should provide houses from the municipal housing funds to people with permanent disabilities under the terms and conditions of the Law on the municipal property.

## CHAPTER FIVE

### FUNDING

#### *Article 49*

The funding of the activities under this Law, shall be carried out by resources risen from:

1. the state budget;
2. the municipal budgets;
3. national and international programmes;
4. donations by local and foreign natural and legal persons;
5. other sources.

#### *Article 50*

The Agency for people with disabilities shall administrate the following own incomes:

1. incomes from events and activities, organised in view to support the integration of the people with disabilities:
  - a) additional and special drawings of State Lottery and Bulgarian Sport Lotto;
  - b) charity and sport events;
2. incomes from voluntary contributions, donations and testaments by local or foreign natural and legal bodies;
3. incomes from fees under this Law;
4. incomes from other sources.

#### *Article 51*

The resources, under Article 50, of the Agency for the people with disabilities shall be spent for realisation of projects and projects under this Law.

#### *Article 52*

National represented organisations of or for people with disabilities shall have the right of receiving grants from the state budget under the terms and conditions set up by the Rules for implementing this Law.

## CHAPTER SIX

### ADMINISTRATIVE PENAL PROVISIONS

#### *Article 53*

- (1) An employer who does not perform his/her obligations under Article 25, Paragraphs 4 and 5, or an official, who does not perform his/her obligations under this Law, shall be punished with a fine, respectively material sanction, of 500 to 1000 BGN, unless he/she is liable to more severe punishment.
- (2) In case of second violation the fine, respectively, the material sanction shall be of 1000 to 2000 BGN.
- (3) The violation shall be considered as second violation in case it has been committed within one year since the penal provision has entered into force.

*Article 54*

- (1) An employer who has not announces the positions referred to in Article 27, or who has refused to employ unemployed person with permanent disability, directed by the Employment Agency within the defined norm, without any serious reason, shall be punished with a fine, respectively material sanction up to 1000 BGN for each separate case.
- (2) The amounts, collected under Paragraph 1, shall be pay in as an income to the Agency for people with disabilities, and shall be spent for programmes and projects focused on encouraging employment and occupation of people with disabilities.

*Article 55*

- (1) The acts for ascertaining administrative violations under this Law shall be constituted by officials appointed by:
  1. the executive head of the Public Internal Financial Control Agency – for the financial violations;
  2. the executive head of General Labour Directorate – Executive Agency – for violations related to employment and occupation;
  3. the Minister of Education and Science – for violations related to education;
  4. head of Directorate for National Construction Supervision – for violations related to accessible architectural environment.
  5. executive head of Executive Agency Automobile Administration, respectively the executive head of Executive Agency Railway Administration – for violations related to accessible transport;
  6. executive head of Social Assistance Agency – for violations related to social assistance.
- (2) Punishments shall be issued by the bodies authorised by Law and act issued by the Council of Ministers;
- (3) Determining of violations, issue of, appeal against and enforcement of punishments shall be executed under the terms and conditions of the Law on the administrative violations and punishments.
- (4) 50% of the amounts collected from the imposed fines under this Law shall be paid in as incomes to the Agency for people with disabilities.
- (5) Annually, until 31 of December, the bodies under Paragraph 1 shall provide information about conducted checks and imposed fines to the Agency for people with disabilities.

## ADDITIONAL PROVISIONS

§ For the purpose of this Law:

1. "Disability" shall mean any loss or impairment in the anatomical structure, physiology or mental health of an individual.
2. "Person with permanent disability" shall mean a person, whose capacity to perform activities, in the way and to the level, possible for the healthy person have been permanently reduced, as a result of anatomical, physiological or mental disability, and who has been certified by the medical expert bodies with level of reduced capacity for work or reduced abilities for social adaptation of 50 and above 50%.
3. "Direct discrimination" shall mean any less favourable treatment of a person, on the grounds of disability, in comparison to another person, who has been or would be treated, under comparable circumstances
4. "Indirect discrimination" shall mean to put a person, on the grounds of disability in a less favourable position in comparison to other persons by means of an apparently neutral provision, criterion or practice, unless the said provision, criterion or practice have objective justification in view of a lawful aim and the means for achieving this aim are appropriate and necessary
5. "Rehabilitation" shall mean a consecutive and continuous recreational process, which helps the person with disability to reach optimal physical, intellectual, psychic and social level of activity and to maintain it preserving the standard and quality of life and expanding the extent of their independence.
6. "Prophylactics" shall mean activities focused on prevention of physical, intellectual, psychic or sensor disabilities, or on prevention of disabilities, which are resulting from long-lasting disfunction or disability, as well as adaptation of the environment.
7. "Supportive devices, facilities and appliances" shall mean facilities, which substitute or improve functions of the human organism and increase the capacities of the people with disabilities for self-service, labour and any other activity. The medical goods under the Law on the medicines and pharmacies for the human medicine shall not be supportive devices, facilities and appliances.
8. "Occupational-health establishments" shall mean establishments, opened in specialised institutions for social services in view to provide occupational therapy and rehabilitation of people, certified with 70% level of disability.
9. "Differentiated productive unit" shall mean productive unit where people with disabilities work.
10. "National represented organisations of people with disabilities" and "National represented organisations for people with disabilities" shall mean these organisations representing the people with disabilities, and which are recognised under the terms and conditions established by the Council of Ministers.
11. "Working place" shall mean premises, workshop, room, situation of machinery, facility or other similar territorial defined site in the enterprise or outside it in case of distant form of work, where the employee, following the instructions of the employer, works to perform his/her obligations resulting from employment contract or civil service contract.

12. “Integrated work environment” shall mean work environment which provides opportunities people with disabilities to work together with people without disabilities.
13. “Specialised work environment” shall mean the work environment in the specialised enterprises, adapted for people with disabilities.
14. “Guide dogs of people with disabilities” shall mean dogs, which have been trained in specialised schools, which can be proved by respective certificate for training, marked service equipment and marks.

## TRANSITIONAL AND FINAL PROVISIONS

§ 2. Law on the protection, rehabilitation and social integration of invalids (published SG No 112/1995, supplemented SG No 110/1996, amended SG No 123/1997, SG No 140/1998 – Decision No 31 of the Constitutional Court from 1998, amended SG No 153/1998, SG No 31/2001, SG No 75 and No 120/2002, SG No 86 and No 112/2003, SG No 48/2004) shall be revoked.

§ 3. Article 80 from the Law on the employment promotion (published SG No 112/2001, amended SG No 54 and No 120/2002, SG No 26, No 86 and No 114/2003, SG No 52/2004) shall be revoked.

§ 4. The Agency for people with disabilities, established under this Law shall be successor of Rehabilitation and Social Integration Fund and shall accept its actives and passives.

§ 5. Employment contract relations with the Rehabilitation and Social Integration Fund employees shall be arranged under the terms and conditions of Article 123 of the Labour Code.

§ 6. Free access of people with disabilities to public buildings and facilities, which are state and municipal property, should be provided and the respective architectural, transport and communication barriers should be eliminated until 31 December 2006.

§ 7. The archive of the National Council for rehabilitation and social integration shall be transferred to the National Council for integration of people with disabilities.

§ 8. The right of monthly allowance under Article 42 shall rise from the day this Law shall enter into force, in case the application has been submitted before 01 July 2005, and the rest of the cases – from the day of its submission.

§ 9. The Council of Ministers shall implement this Law.

§ 10. This Law shall enter into force on 01 January 2005.

*This Law has been adopted by the XXXIX National Assembly on 02 September 2004 and has been sealed with the official seal of the National Assembly.*