

TRANSITIONAL AND FINAL PROVISIONS
to the Law on Amendments to the Judiciary Act
(SG, issue 32 of 2022, in force from 27.07.2022)

§ 43. With the entry into force of this law the Specialized Criminal Court, the Appellate Specialized Criminal Court, the Specialized Prosecutor's Office and the Appellate Specialized Prosecutor's Office shall be closed.

§ 44. (In force from 26.04.2022 - SG, issue 32 of 2022) (1) The judges of the Specialized Criminal Court and the Appellate Specialized Criminal Court shall be reappointed under the conditions and by the order of art. 194, para. 1.

(2) Within 14 days from the promulgation of this law the persons under para. 1 may submit an application to the panel of judges of the Supreme Judicial Council, in which to declare their desire to be reinstated to the position of judge, which they held before their appointment in the Specialized Criminal Court, respectively the Appellate Specialized Criminal Court.

(3) Within 30 days from the expiration of the term under para. 2, the panel of judges of the Supreme Judicial Council shall adopt a decision for opening positions of judges in courts corresponding to those closed in the Specialized Criminal Court and the Appellate Specialized Criminal Court, taking into account the degree of workload of the respective court. Up to one quarter of the judges of the closed Specialized Criminal Court and up to one third of the judges of the closed Specialized Criminal Court of Appeal shall be reappointed in one court.

(4) After the expiration of the term under par. 3, the panel of judges of the Supreme Judicial Council shall reappoint judges, as of the entry into force of this law.

(5) The decisions of the panel of judges of the Supreme Judicial Council under para. 4 are subject to preliminary execution.

§ 45. (In force from 26.04.2022 - SG, iss. 32 in 2022) (1) The prosecutors from the Specialized Prosecutor's Office and the Appellate Specialized Prosecutor's Office shall be re-appointed under the conditions and by the order of art. 194, para. 1.

(2) Within 14 days from the promulgation of this law the persons under para. 1 may submit an application to the prosecutorial board of the Supreme Judicial Council, in which to declare their desire to be reinstated to the position of prosecutor, which they held before their appointment in the Specialized Prosecutor's Office, respectively the Appellate Specialized Prosecutor's Office.

(3) Within 30 days from the expiration of the term under para. 2, the Prosecutorial Board of the Supreme Judicial Council shall adopt a decision for opening positions of prosecutors in prosecutor's offices, corresponding to those closed in the Specialized Prosecutor's Office and the Appellate Specialized Prosecutor's Office. Up to one third of the prosecutors from the closed Specialized Prosecutor's Office, respectively from the closed Appellate Specialized Prosecutor's Office, are reappointed in one prosecutor's office.

(4) The investigators from the investigation department in the Specialized Prosecutor's Office shall be re-appointed in the district investigation departments in the district prosecutor's offices under the conditions and by the order of art. 194, para. 1.

(5) Within 14 days from the promulgation of this law the persons under para. 4 may submit an application to the Prosecutorial College of the Supreme Judicial Council, in which to declare their desire to be reinstated to the position of investigator, which they held before their appointment in the investigation department of the Specialized Prosecutor's Office.

(6) Within 30 days from the expiration of the term under para. 5, the prosecutorial board of the Supreme Judicial Council shall adopt a decision for opening positions of investigators, corresponding to the ones closed in the investigation department of the Specialized Prosecutor's Office. Up to one third of the investigators from the closed investigation department of the Specialized Prosecutor's Office are reassigned to one investigation department.

(7) After the expiration of the term under par. 3 and 6, the Prosecutorial College of the Supreme Judicial Council shall reappoint prosecutors and investigators as of the entry into force of this law.

(8) The Prosecutorial College of the Supreme Judicial Council shall reappoint without competition the incumbent junior investigators to the investigation department of the Specialized Prosecutor's Office, who as of the date of entry into force of this law have not completed the training under Art. 249, para. 1, item 1, to the position of junior investigator, corresponding to the closed position in the investigation departments in the respective district prosecutor's offices.

(9) The Prosecutorial College of the Supreme Judicial Council shall appoint the junior investigators in the investigation department of the Specialized Prosecutor's Office to the respective closed positions in the district investigation departments in the respective district prosecutor's offices.

(10) The decisions of the prosecutorial board of the Supreme Judicial Council under para. 7, 8 and 9 are subject to preliminary execution.

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§ 48. The pre-trial proceedings and files in the Specialized Prosecutor's Office which have not been completed before the entry into force of this Act shall be sent to the respective prosecutor's offices within their competence within 7 days from the entry into force of this Act.

§ 49. The first instance criminal cases before the Specialized Criminal Court, on which no disposition session has been held before the entry into force of this Act, shall be sent to the respective courts within 7 days from the entry into force of this Act.

§ 50. (1) With the entry into force of this law the first instance criminal cases before the Specialized Criminal Court, on which a disposition session has been held, shall become under the jurisdiction of the Sofia City Court and shall be considered by the court panel.

(2) The judges of the court panels, who have not been re-appointed in the Sofia City Court, shall be seconded for participation in the examination of the cases until the end of the proceedings on them.

(3) The judges of the court panel, who have considered the first instance criminal cases, on which a sentence has been rendered, when they have not been reappointed in the Sofia City Court, shall be seconded for announcing the reasons for the sentence.

(4) In the cases under par. 2 and 3 of Art. 227, para. 1 does not apply.

§ 51. The proceedings before the Appellate Specialized Criminal Court, which have not been completed before the entry into force of this Act, on which no disposition session has been held, shall be sent to the respective appellate courts within 7 days from the entry into force of this Act.

§ 52. (1) The proceedings before the Appellate Specialized Criminal Court, which have not been completed before the entry into force of this law, on which a disposition session has been held, shall become under the jurisdiction of the Sofia Court of Appeal and shall be considered by the court panel.

(2) The judges of the court panels, who have not been re-appointed in the Sofia Court of Appeal, shall be seconded for participation in the

examination of the cases until the end of the proceedings on them. In these cases art. 227, para. 1 does not apply.

Article 53. Judges of the court panel who have considered appellate cases on which a sentence has been handed down or have been announced for decision, which have not been reassigned to the Sofia Court of Appeal, shall be seconded to announce the reasons for the sentence or to pronounce and announce the decision. In this case Art. 227, para. 1 does not apply.

54. With the entry into force of this law the mandate of the jurors elected to participate in the proceedings before the Specialized Criminal Court shall be terminated, with the exception of the jurors participating in proceedings on which a disposition session has been held. Their mandate in these proceedings continues as jurors in the Sofia City Court and is terminated from the date of announcing the reasons for the sentence or from the date of termination of the criminal or judicial proceedings.

§ 55. The administrative heads of the closed and of the receiving bodies of the judiciary shall create an organization for the transfer and acceptance of the unfinished and closed cases, files and archives.

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§ 59. (1) The Sofia City Court shall be the legal successor of the assets, liabilities, rights and obligations of the Specialized Criminal Court.

(2) The Sofia Court of Appeal shall be the legal successor of the assets, liabilities, rights and obligations of the Appellate Specialized Criminal Court.

§ 67. The law shall enter into force three months after its promulgation in the State Gazette, with the exception of § 1, 2, 5, 6, 18, 28, 32, 34, 44, 45, 57 and 58, which shall enter into force. from the day of promulgation.