[BG] Bill for implementation of Directive 2019/789 and Directive 2019/790 submitted to the Parliament

IRIS 2023-1:1/22

Nikola Stoychev
Dimitrov, Petrov & Co., Law Firm

On 22 November 2022, the caretaker government in Bulgaria submitted the *Законопроект за изменение и допълнение на Закона авторското право и сродните му права* (draft Bill for amendment and supplement to the Copyright and Neighbouring Rights Act – the Bill) to Parliament for adoption.

The Bill would transpose the EU directives concerning copyright, namely: 1) Directive 2019/789 laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes; and 2) Directive 2019/790 on copyright and related rights in the Digital Single Market.

The implementation process of the acts in Bulgaria started early (in June 2020) with preliminary non-official consultations on a preliminary draft of the Bill, initiated by the *Министерство на културата* (Ministry of Culture). All major stakeholders took part in this process and helped the Ministry refine the draft.

Based on that process, in September 2021, an updated draft of the Bill was published by the Ministry for official public consultation. This happened after the implementation deadlines had already passed and after the European Commission (EC) had opened infringement procedures against 23 Member States (including Bulgaria). All relevant stakeholders (including international companies that would be affected by the new rules) became involved again and provided detailed statements and proposals for amendments. In accordance with these proposals, a final draft of the Bill has been approved by the caretaker government and has now been submitted to Parliament.

The delay was largely due to the conflicting interests of the affected stakeholders and the controversies over some of the text of the Directives. In addition, since 2020 Bulgaria has been in a political stalemate (with several Parliamentary elections, a presidential election and now a lack of clarity if a government will be formed), which has further prolonged the process.

The Bill seems to include the mandatory requirements of Directive 2019/789 and Directive 2019/790. It introduces a handful of the provisions that are left to the discretion of each Member State and even proposes changes to longstanding provisions that are not, in fact, covered by the directives. The proposed Bill,

© European Audiovisual Observatory (Council of Europe) 2026

however, could undergo significant changes during the parliamentary process for its adoption, considering the interests of all parties in the industry chain – especially regarding the discretionary rules.

Законопроект за изменение и допълнение на Закона авторското право и сродните му права

https://www.parliament.bg/bg/bills/ID/164507

Bill for amendment and supplement to the Copyright and Neighbouring Rights Act

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026