



# REPUBLIC OF BULGARIA COMMISSION FOR PERSONAL DATA PROTECTION

Registration index and date
...../.....

(to be completed by the official responsible for the receipt and registration of the report)

## REPORT REGISTRATION FORM

### FOR THE SUBMISSION OF INFORMATION ON BREACHES UNDER THE WHISTLEBLOWER PROTECTION ACT

**IMPORTANT! Please read the instructions on pages 5 and 6 before completing the form.**

#### To be completed by the official receiving the report

UIN	Date

(Unique Identification Number – to be provided by the Central Authority)

#### METHOD OF SUBMISSION

WRITTEN     VERBAL

IN PERSON     VIA A PROXY

#### DETAILS OF THE OFFICIAL RECEIVING, ACCEPTING AND REGISTERING THE REPORT

Name   
(forename, middle name and surname)

Position

Workplace

BULSTAT/UIC

#### To be completed by the person submitting the report if they are using the form as a template for the report

#### PART I. DETAILS OF THE PERSON SUBMITTING THE REPORT

Name   
(forename, middle name and surname)

#### CONTACT DATA

Region

Location

Mailing Address

Telephone

e-mail (if available)

I would like to receive a confirmation of the receipt of the report (to be completed only if the report is submitted to the CPDP)

IN THEIR CAPACITY AS

a worker, employee, civil servant or any other person performing wage labour, irrespective of the nature of the work, method of payment and source of funding;

<input type="checkbox"/>	a person working without an employment relationship and/or in a self-employed capacity and/or engaged in a craft activity
<input type="checkbox"/>	a volunteer or trainee;
<input type="checkbox"/>	a partner, shareholder, sole owner of the capital, member of a management or control body of a commercial company, member of the audit committee of an enterprise;
<input type="checkbox"/>	a person working for a natural person or a legal entity, their subcontractors or suppliers;
<input type="checkbox"/>	a job applicant who has participated in a competition or any other form of recruitment process and has become aware of a breach in that capacity;
<input type="checkbox"/>	a worker or employee, when the information was obtained under an employment or official relationship that has been terminated by the time of the report submission or the public disclosure
<input type="checkbox"/>	another capacity of the person reporting a breach that they became aware of in a work context <sup>1</sup> .(please specify).....

**PART II. WHOM THE REPORT IS SUBMITTED AGAINST**

<b>IDENTIFICATION (in the event of a report against a natural person)</b>	
Name	<input type="text"/> (forename, middle name and surname)
Workplace	<input type="text"/>
BULSTAT/UIC	<input type="text"/>
<b>IDENTIFICATION (in the event of a report against state or municipal authorities or legal entities)</b>	
Name	<input type="text"/>
BULSTAT/UIC	<input type="text"/>

**PART III. DETAILS OF THE BREACH**

<b>1. THE BREACH IS RELATED TO (please mark the field where the breach has occurred)</b>	
<input type="checkbox"/>	a breach of Bulgarian law or of European Union acts in the field of:
<input type="checkbox"/>	public procurement;
<input type="checkbox"/>	financial services, products and markets and the prevention of money laundering and terrorist financing;
<input type="checkbox"/>	product safety and compliance;
<input type="checkbox"/>	transport safety;
<input type="checkbox"/>	environmental protection;
<input type="checkbox"/>	radiation protection and nuclear safety;
<input type="checkbox"/>	food and feed safety, animal health and animal welfare;
<input type="checkbox"/>	public health;
<input type="checkbox"/>	consumer protection;
<input type="checkbox"/>	privacy and personal data protection;
<input type="checkbox"/>	network and information system safety;
<input type="checkbox"/>	a breach affecting the financial interests of the European Union under Article 325 of the Treaty on the Functioning of the European Union;
<input type="checkbox"/>	a breach of the rules of the internal market under Article 26(2) of the Treaty on the Functioning of the European Union, including the rules of the European Union and of Bulgarian law on competition and state aid;
<input type="checkbox"/>	a breach related to cross-border tax schemes intended to obtain a tax advantage that contradicts the subject matter or purpose of applicable law in the field of corporate taxation;
<input type="checkbox"/>	a general offence that the person submitting the report became aware of in conjunction with the performance of their work or official duties.
<input type="checkbox"/>	breaches of Bulgarian law in the field of:
<input type="checkbox"/>	the rules for the payment of public state and municipal receivables due;
<input type="checkbox"/>	the labour market legislation;
<input type="checkbox"/>	the legislation related to the performance of civil services.

<b>2. WHEN HAS THE BREACH OCCURRED</b>	
Date/Period	<input type="text"/>

<sup>1</sup> Pursuant to §1, item 4 of the Further Provisions of the Whistleblower Protection Act, a “work context” means current and former work activities in the public or private sector through which, irrespective of their nature, persons obtain information about breaches and within which these persons can be subjected to repressive retaliation if they report such information.

**3. DESCRIPTION OF THE BREACH** (specific data on the breach or of the genuine risk of the occurrence of such a breach)

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**4. LIST OF THE ATTACHED EVIDENCE**

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**PART IV. PERSONS OTHER THAN THE PERSON SUBMITTING THE REPORT WHO NEED PROTECTION**

*(if known at the time when the report is submitted)*

- |                          |   |
|--------------------------|---|
| <input type="checkbox"/> | persons assisting the person submitting the report in the course of the process;  |
| <input type="checkbox"/> | persons related to the person submitting the report <sup>2</sup> who could be subjected to retaliation as a result of the report;   |
| <input type="checkbox"/> | legal entities in which the person submitting the report has an equity participation, for which they are working or to which they are related in any other way in a work context. |

**LISTING/IDENTIFICATION OF THE PERSONS TO BE GRANTED PROTECTION**

<p style="text-align: center;"><b>CAPACITY OF THE PERSON</b>  <i>(a colleague, a relative – without limitation in degrees, a legal entity in which the person submitting the report has an equity participation, for which they are working or to which they are related in any other way in a work context)</i></p>	
<p style="text-align: center;">Name (for natural persons)</p>	<table border="1" style="width: 100%; height: 20px;"></table> <p style="text-align: center;">(forename, middle name and surname, if known)</p>
<p style="text-align: center;">Name of the legal entity</p>	<table border="1" style="width: 100%; height: 20px;"></table> <p style="text-align: center;">BULSTAT/UIC <table border="1" style="display: inline-table; width: 100px; height: 15px; vertical-align: middle;"></table></p> <p style="text-align: center;">Represented by <table border="1" style="display: inline-table; width: 150px; height: 15px; vertical-align: middle;"></table></p>

**CONTACT DATA**

	<p style="text-align: center;">Location</p> <table border="1" style="width: 100%; height: 20px;"></table>	
	<p style="text-align: center;">Mailing Address</p> <table border="1" style="width: 100%; height: 20px;"></table>	
	<p style="text-align: center;">Telephone</p> <table border="1" style="width: 100%; height: 20px;"></table>	<p style="text-align: center;">E-mail (if any)</p> <table border="1" style="width: 100%; height: 20px;"></table>

**PART V. PERSONS WHO CAN CONFIRM THE REPORTED DATA OR CAN PROVIDE FURTHER INFORMATION**

<p style="text-align: center;">Name (for natural persons)</p>	<table border="1" style="width: 100%; height: 20px;"></table> <p style="text-align: center;">(forename, middle name and surname, if known)</p>
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<sup>2</sup> Under §1, item 9 of the Further Provisions of the Whistleblower Protection Act, “persons related to the whistleblower (person submitting the report)” means third persons who could be subjected to repressive retaliation in a work context, as colleagues or relatives – without limitation in degree.

Name of the legal entity	<input type="text"/>	
	BULSTAT/UIC	<input type="text"/>
	Represented by	<input type="text"/>
<b>CONTACT DATA</b>		
Location	<input type="text"/>	
Mailing Address	<input type="text"/>	
Telephone	<input type="text"/>	E-mail (if any) <input type="text"/>

**THE CURRENT REPORT IS SUBMITTED VIA AN INTERNAL REPORTING CHANNEL:**  
(to be filled in only when the report is submitted to the CPDP)

YES  NO

**INVITATION TO THE PERSON SUBMITTING THE REPORT TO SIGN THE DOCUMENT**  
(to be marked by the official receiving and registering the report)

ACCEPT  REFUSE

**THE REPORT WAS RECEIVED AND REGISTERED BY:**

.....  
(name of the official)

**POSITION:** .....

**DATE:** .....

**SIGNATURE:** .....

**PERSON SUBMITTING THE REPORT/PROXY:**

.....  
(name)

**DATE:** .....

**SIGNATURE:** .....

**General Information and Completion Instructions:**

1. This form is intended for the registration of breach reports via an internal and/or external reporting channel:
  - “Internal reporting of information” (to the obliged entities under Article 12 of the Whistleblower Protection Act<sup>3</sup>) means verbal or written communication of information about breaches within a legal entity in the private or public sector;
  - “External reporting of information” (before the CPDP) means verbal or written communication of information about breaches to the competent authorities.
2. When completing the form that is to be submitted to the CPDP via the external reporting channel, it has to be indicated whether the report is submitted via an internal reporting channel, as well.
3. **IMPORTANT!** The form is intended for official use related to the registration of a report by the officials designated by the obliged entities, responsible for the reception and registration of such reports. The form can also be used by the persons submitting reports as a template for a report. In this case the person submitting the report only completes Parts I—V (inclusive).
4. The form is also intended for cases of verbal reporting. In such cases the official designated for the reception and registration of reports documents the report by completing the form. After the completion of the form the official invites the person submitting the report to sign it, if they consent to do so, and marks their consent or refusal in the respective part of the form. The signature must be affixed within 7 days of the invitation.
5. Reports are reviewed when submitted by an individual, in person or via a proxy with an express written power of attorney (no notarisation required), via an external reporting channel or an internal reporting channel, or via public disclosure of information about breaches in a work context.
6. When a report is submitted via a proxy, the original copy of the power of attorney under item 4 must be attached.

**For the official receiving and registering reports:**

7. Obtaining a Unique Identification Number is mandatory when registering reports for the purposes of the internal reporting channel. A UIN is generated at CPDP’s website. In order to obtain a UIN the official responsible for the reception and registration of reports selects the “Obtain a UIN” option and then enters the following information:
  - Name and UIC/BULSTAT of the employer to whom the report was submitted;
  - Identification data of the official responsible for the reception and registration of the report;
  - Subject matter of the report (respective fields of the breach);
  - Method of submission (written or verbal).
8. Within the time frame envisaged by law, the person submitting the report is provided with information about the UIN and the registration date of the report.
9. All submitted reports are registered. The circumstances under items 9—11 of these instructions are considered after the completion of the registration and the obtaining of a UIN.
10. No proceedings are launched for anonymous reports and reports related to breaches occurring more than two years ago.
11. Reports are not examined if they do not fall within the scope of the Whistleblower Protection Act or if their content does not provide convincing reasons to perceive them as plausible.
12. Registered reports containing manifestly false or misleading statements and facts are returned with an instruction to the person submitting the report to make corrections to the statements, reminding them of the liability they bear for false accusations under Article 286 of the Criminal Code.

<sup>3</sup> Obligated entities

Article 12. (\*) (1) The obliged entities under this Act shall be the following:

1. employers in the public sector, with the exception of municipalities under Paragraph 2;
2. employers in the private sector with 50 and more workers or employees;
3. employers in the private sector irrespective of the number of their workers or employees if the business activities carried out by them fall within the scope of the legal acts of the European Union specified in Part I-B and Part II of the annex to Article 3(1) and Article 3(3).

(2) Municipalities with a population under 10 000 or less than 50 workers or employees can share resources for the reception of breach reports and follow-up actions on them, provided that they observe the confidentiality obligations.

(3) Obligated entities under Paragraph 1(2) with a total number of workers or employees of 50 to 249 can use a common internal reporting channel, by designating one person or dedicated unit in line with Article 14.

**For the person submitting the report:**

13. This form can be used by the persons submitting a report as a template. In this case the person submitting the report only completes Parts I—V (inclusive).

14. Within the statutory time limit after the registration of a report, the person submitting the report is provided with information about the registration of the report and its UIN and date. Any subsequent information or communication related to the report is appended under this UIN.

15. Any new information, or information that was not previously stated in the form at the time of its submission can be provided additionally by the person submitting the report. When it is submitted they must specify the UIN obtained for the initial report.

16. Please, keep in mind that:

- No proceedings are launched for anonymous reports and reports related to breaches occurring more than two years ago.
- Registered reports are not examined if they do not fall within the scope of the Whistleblower Protection Act or if their content does not provide convincing reasons to perceive them as plausible.
- Registered reports containing manifestly false or misleading statement and facts are returned with an instruction to the person submitting the report to make corrections to the statements, reminding them of the liability they bear for false accusations under Article 286 of the Criminal Code.

**THE SUBMISSION OF REPORTS OR THE PUBLIC DISCLOSURE OF FALSE INFORMATION IS SUBJECT TO ADMINISTRATIVE CRIMINAL LIABILITY UNDER ARTICLE 45 OF THE WHISTLEBLOWER PROTECTION ACT.**