

Bulgaria Dispute Resolution Profile

(Last updated: 26 February 2025)

General Information

- **Bulgaria's tax treaties are available at:**

<https://nra.bg/wps/portal/nra/mezhdunarodni-deinosti/siddo/spisak-sas-spogodbi> (in Bulgarian)

<https://old.nra.bg/en/page?id=530> (in English)

- **MAP request should be made to:**
(*applicable for all types of MAP requests*)

Director, Tax Treaties Directorate
National Revenue Agency
52 Dondukov Blvd.
1000 Sofia, Bulgaria
Tel: + 359 2 9859 3061
Email: BG-MAP@nra.bg

- **APA request should be made to:**

Bulgaria does not have an APA programme and is not authorised to enter into APAs.

Bulgaria Dispute Resolution Profile – Preventing Disputes

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
A. Preventing Disputes				
1.	Are agreements reached by your competent authority to resolve difficulties or doubts arising as to the interpretation or application of your tax treaties in relation to issues of a general nature which concern, or which may concern, a category of taxpayers published?	NO	Currently there are only a few agreements of such nature reached.	
2.	Are bilateral APA programmes implemented? If yes:	NO	Bulgaria does not have an APA programme and is not authorised to enter into bilateral APAs.	
a.	<ul style="list-style-type: none"> Are roll-back of APAs provided for in the bilateral APA programmes? 	N/A	Please see above	
b.	<ul style="list-style-type: none"> Are there specific timeline for the filing of an APA request? 	N/A	Please see above	
c.	<ul style="list-style-type: none"> Are rules, guidelines and procedures on how taxpayers can access and use bilateral APAs, including the specific information and documentation that should be submitted in a taxpayer's request for bilateral APA assistance, publicly available? 	N/A	Please see above	
d.	<ul style="list-style-type: none"> Are there any fees charged to taxpayers for a bilateral APA request? 	N/A	Please see above	

Bulgaria Dispute Resolution Profile – Preventing Disputes

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
e.	<ul style="list-style-type: none"> Are statistics relating to bilateral APAs publicly available? 	N/A	Please see above	
3.	Is training provided to your officials involved in the auditing/examination of taxpayers to ensure that any assessments made by them are in accordance with the provisions of your tax treaties?	YES	Internal trainings on the application of the tax treaties and transfer pricing rules are periodically organized by the National Revenue Agency.	This is not explicitly mentioned in a public guidance.
4.	Is other information available on preventing tax treaty-related disputes?	NO		

Notes:

1. An APA is an “arrangement that determines, in advance of controlled transactions, an appropriate set of criteria (e.g. method, comparables and appropriate adjustments thereto, critical assumptions as to future events) for the determination of the transfer pricing for those transactions over a fixed period of time”. (see definition of APA in the **OECD Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations** (“Transfer Pricing Guidelines”).

2. Situations may arise in which the issues resolved through an APA are relevant with respect to previous filed tax years not included within the original scope of the APA. The concept of “roll-back” is further elaborated in paragraph 4.136 of Section F (Advance pricing arrangement) of Chapter IV of the Transfer Pricing Guidelines and in paragraph 69 of Section D.4.2 (Possible retrospective application (“Roll back”)) of the Annex to Chapter IV (Guidelines for Conducting Advance Pricing Arrangements under the Mutual Agreement Procedure (“MAP APAs”)) of the Transfer Pricing Guidelines. Simply put, the “roll-back” of the APA is understood to mean that the outcome of the APA is applied to previous filed tax years not included within the original scope of the APA.

Bulgaria Dispute Resolution Profile – Availability and access to MAP

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
B. Availability and Access to MAP				
5.	Are transfer pricing cases covered within the scope of MAP?	YES		<p>You may consult p. 5 of the MAP Guidance at:</p> <p>https://nra.bg/wps/portal/nra/mezhdunarodni-deinosti/siddo/protsedura-vzaimno-sporazumenie</p> <p>(in Bulgarian)</p> <p>https://old.nra.bg/en/document?id=415</p> <p>(in English)</p> <p>or EU TP Profile of Bulgaria.</p>
6.	Are issues relating to the application of treaty anti-abuse provision covered within the scope of MAP?	YES		
7.	Are issues relating to the application of domestic anti-abuse provision covered within the scope of MAP?	YES		
8.	Are issues where there is already an audit settlement between the tax authority and the taxpayer covered within the scope of MAP?	See detailed explanation	The Bulgarian domestic legislation does not provide for an audit settlement between the tax authorities and the taxpayers.	

Bulgaria Dispute Resolution Profile – Availability and access to MAP

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
9.	Are double taxation cases resulting from bona fide taxpayer initiated foreign adjustments covered within the scope of MAP?	YES		
10.	Are there any other treaty related issues not covered under s/n 5 to 9 which are not within the scope of MAP?	NO		
11.	Are taxpayers allowed to request MAP assistance in cases where the taxpayer has sought to resolve the issue under dispute via the judicial and administrative remedies provided by the domestic law of your jurisdiction?	See detailed explanation	The request to initiate a mutual agreement procedure may be submitted independently of the remedies provided by the internal legislations of the two countries. This means that, if the person has appealed against an act or actions of the Bulgarian or a foreign revenue administration, there are no obstacles to submit a request to initiate a mutual agreement procedure.	https://nra.bg/wps/portal/nra/mezhdunarodni-deinosti/siddo/protsedura-vzaimno-sporazumenie (in Bulgarian) https://old.nra.bg/en/page?id=711 (in English)

Bulgaria Dispute Resolution Profile – Availability and access to MAP

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
12.	Are taxpayers allowed to request for MAP assistance in cases where the issue under dispute has already been decided via the judicial and administrative remedies provided by the domestic law of your jurisdiction?	See detailed explanation	<p>Taxpayers are allowed to request MAP assistance in cases where the issue under dispute has already been decided via the administrative or judicial remedies provided for in the Bulgarian domestic legislation. However, in Bulgaria, as in many other countries, court decisions are binding on the revenue administration and after the entry into force of such a decision, the administration cannot not reach an agreement with another tax administration on taxation that is not in accordance with the decision, even though such taxation is more favourable to the taxpayer.</p> <p>For more details, please refer to Bulgaria's MAP Guidance.</p>	<p>https://nra.bg/wps/portal/nra/mezhdunarodni-deinosti/siddo/protsedura-vzaimno-sporazumenie (in Bulgarian)</p> <p>https://old.nra.bg/en/page?id=711 (in English)</p>

Bulgaria Dispute Resolution Profile – Availability and access to MAP

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
13.	Are rules, guidelines and procedures on how taxpayers can access and use MAP, including the specific information and documentation that should be submitted in a taxpayer's request for MAP assistance, publicly available?	YES		https://nra.bg/wps/portal/nra/mezhdunarodni-deinosti/siddo/protsedura-vzaimno-sporazumenie (in Bulgarian) https://old.nra.bg/en/page?id=711 (in English)
14.	Are there specific timeline for the filing of a MAP request?	YES	A taxpayer must notify the competent authority within the time limits specified in the applicable tax treaty. Most of them follow Article 25, paragraph 1, second sentence of the OECD Model Tax Convention, but some old treaties might deviate from the general rule.	https://nra.bg/wps/portal/nra/mezhdunarodni-deinosti/siddo/protsedura-vzaimno-sporazumenie (in Bulgarian) https://old.nra.bg/en/page?id=711 (in English)
15.	Are guidance on multilateral MAPs publicly available?	NO	We do not have such guidance.	

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s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
16.	Are tax collection procedures suspended during the period a MAP case is pending?	See detailed explanation	<p>Tax collection and interest charges are not suspended during a MAP. The taxpayers could however request suspension on the grounds provided for in the Bulgarian domestic legislation but this possibility is allowed in very limited cases.</p> <p>The taxpayers may request suspension of tax collection from the administrative body of appeals or the court, as the case may be, only as regards that part of the tax liability which is disputed. The tax collection may be suspended if the taxpayer provides collateral in the amount of the tax at stake and the interest accrued.</p>	You may consult the EU TP Profile of Bulgaria in the context of transfer pricing MAP cases (Section 8).
17.	Are there any fees charged to taxpayers for a MAP request?	NO		You may consult the EU TP Profile of Bulgaria in the context of transfer pricing MAP cases (Section 8).

Bulgaria Dispute Resolution Profile – Availability and access to MAP

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
18.	Is there any other information available on availability and access to MAP?	YES	Section XIV “Mutual Agreement Procedures” of the Transfer Pricing Guidelines (rev 2010) of the National Revenue Agency gives a general overview of the MAP process in cases of transfer pricing adjustments.	https://nra.bg/wps/portal/nra/mezhdunarodni-deinosti/siddo/protsedura-vzaimno-sporazumenie (only in Bulgarian)

Bulgaria Dispute Resolution Profile – Resolution of MAP cases

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
C. Resolution of MAP Cases				
19.	Are there any model timeframes for the steps taken by your competent authority from the receipt of a MAP case to the resolution of the case provided to taxpayers?	YES	Please refer to the published MAP Guidance. Certain timeframes are also defined by Council Directive (EU) 2017/1852 of 10 October 2017 on tax dispute resolution mechanisms in the European Union implemented in Bulgaria.	https://nra.bg/wps/portal/nra/mezhdunarodni-deinosti/siddo/protsedura-vzaimno-sporazumenie (in Bulgarian) https://old.nra.bg/en/page?id=711 (in English)
20.	Are statistics relating to the time taken to resolve MAP cases publicly available?	See detailed explanation	Statistics for Bulgaria are available on the OECD MAP Statistics website	http://www.oecd.org/tax/dispute/mutual-agreement-procedure-statistics.htm
21.	Is interest or penalties resulting from adjustments made pursuant to a MAP agreement waived or dealt with as part of the MAP procedure?	See detailed explanation	Generally no. Interests or penalties are applied in compliance with the provisions of the relevant domestic legislation. However, the relief from such interests or penalties could be examined on a case-by-case basis. There is currently no public guidance on whether and to what	

Bulgaria Dispute Resolution Profile – Resolution of MAP cases

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
			extent interest or penalties can be dealt with as part of the MAP. As a matter of practice either issue has been never addressed in the course of MAP cases resolution by Bulgaria and its MAP partners.	
22.	Are the roles and responsibility of the MAP office publicly available, for example, is the mission statement of the MAP office available in the <i>annual</i> report of the organisation?	See detailed explanation	Information on the performance of the MAP office is published annually in the Annual Report on the Activity of the National Revenue Agency of Bulgaria.	
23.	Is MAP arbitration a mechanism currently available for the resolution of tax treaty related disputes in any of your tax treaties? If not:	See detailed explanation	None of the Bulgarian tax treaties contains a MAP arbitration provision that is in effect. However Bulgaria is a signatory to the EU Arbitration Convention, which provides for a mutual agreement procedure supplemented with an arbitration procedure for settling transfer pricing disputes and disputes on the	

Bulgaria Dispute Resolution Profile – Resolution of MAP cases

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
			attribution of profits to permanent establishments between EU Member States. In addition, Bulgaria implemented Council Directive (EU) 2017/1852 of 10 October 2017 on tax dispute resolution mechanisms in the European Union which has effect as from 1 July 2019.	
a.	<ul style="list-style-type: none"> Are there any legal limitations in your domestic law (for example in your constitution) to include MAP arbitration in your tax treaties? 	NO		
b.	<ul style="list-style-type: none"> Does your treaty policy allow you to include MAP arbitration in your tax treaties? 	See detailed explanation	The current practice of Bulgaria is not to include MAP arbitration provisions in its DTCs.	
24.	<p>Is the explanation of the relationship between the MAP and domestic law administrative and judicial remedies publicly available?</p> <p>If yes:</p>	YES		https://nra.bg/wps/portal/nra/mezhdunarodni-deinosti/siddo/protsedura-vzaimno-sporazumenie (in Bulgarian) https://old.nra.bg/en/page?id=711 (in English)

Bulgaria Dispute Resolution Profile – Resolution of MAP cases

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
a.	<ul style="list-style-type: none"> Does the guidance specifically address whether the competent authority considers that it is legally bound to follow a domestic court decision in the MAP or will not deviate from a domestic court decision as a matter of administrative policy or practice? 	YES	<p>Court decisions are binding on the revenue administration and after the entry into force of such decision, the administration cannot not reach an agreement with another tax administration on taxation that is not in accordance with the decision, even though such taxation is more favourable to the taxpayer.</p> <p>For more details, please see p. 9(3) of the Bulgarian MAP Guidance.</p>	<p>https://nra.bg/wps/portal/nra/mezhdunarodni-deinosti/siddo/protsedura-vzaimno-sporazumenie (in Bulgarian)</p> <p>https://old.nra.bg/en/page?id=711 (in English)</p>
25.	Are taxpayers allowed to request for multi-year resolution through the MAP of recurring issues with respect to filed tax years?	YES		
26.	Do all your jurisdiction's tax treaties contain a provision which would oblige your jurisdiction to make corresponding adjustments or to grant access to the MAP with respect to the economic double taxation that	See detailed explanation	Most of Bulgaria's tax treaties contain such a provision. However, there are some older tax treaties	

Bulgaria Dispute Resolution Profile – Resolution of MAP cases

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
	<p>may otherwise result from a primary transfer pricing adjustment (i.e. is paragraph 2 of Article 9 of the OECD Model Tax Convention or the UN Model Double Taxation Convention included in all of your jurisdiction's tax treaties)?</p>		<p>(e.g. with France) which do not have that provision.</p> <p>Where the tax treaty contains a provision similar to Article 9 (1) of the OECD Model Tax Convention but does not contain an equivalent of Article 9 (2) of the OECD Model Tax Convention, Bulgaria will grant access to MAP. This interpretation is supported by the Commentary of the OECD Model Tax Convention and followed by Bulgaria.</p> <p>Furthermore, Bulgaria applies the EU Arbitration Convention, which provides for a MAP for settling transfer pricing disputes and disputes on the attribution of profits to permanent establishments between EU Member States. As a result almost all countries having concluded a tax treaty with Bulgaria which does not</p>	

Bulgaria Dispute Resolution Profile – Resolution of MAP cases

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
			contain para. 1 or 2 of Art. 9 of the OECD Model Tax Convention are covered by the EU Arbitration Convention.	
27.	Is there any other information available on resolution of MAP cases?	NO		

Bulgaria Dispute Resolution Profile – Implementation of MAP Agreements

s/n		Response	Detailed explanation	Where publicly available information and guidance can be found
D. Implementation of MAP Agreements				
28.	Where the agreement reached by your competent authority through the MAP process leads to additional tax to be paid by your taxpayer, is there publicly available information on the timeframe the taxpayer could expect its tax position to be amended to reflect the agreement reached by the competent authority and/or for the additional tax to be paid?	NO	As quickly as possible. Generally instructions on swift implementation of the MAP outcome are given in the notification notice sent to the revenue authorities responsible for the assessment procedure.	This is not specifically mentioned in a public guidance.
29.	Where the agreement reached by your competent authority through the MAP process leads to a refund of the tax due or paid by your taxpayer, are there publicly available information on the timeframe the taxpayer could expect its tax position to be amended to reflect the agreement reached by the competent authority and/or for a refund of the tax paid?	NO	If a MAP agreement provides for a downward adjustment, generally the initiative is upon the taxpayer and the procedure is regulated by Art. 128 – 132 of the Bulgarian Tax and Social Security Procedure Code. The refund procedure usually takes 30 days after its initiation if within that period an audit is not started.	This is not specifically mentioned in a public guidance.

Bulgaria Dispute Resolution Profile – Implementation of MAP Agreements

30.	Are all mutual agreements reached through MAP implemented notwithstanding any time limits in your domestic law?	NO	The agreements reached will have effect in Bulgaria irrespective of the limitation periods set by our internal legislation. However, there is a small number of old DTCs (e.g. with Italy, Denmark, Belgium, etc.) which do not contain any provision to ensure that the agreement reached will be implemented irrespective of the periods of limitation provided for in the internal legislation of the countries concerned. The consequences of this are that in these cases the internal limitation periods may apply.	Information is available in p. 9(2) of the MAP Guidance: https://nra.bg/wps/portal/nra/mezhdunarodni-deinosti/siddo/protsedura-vzaimno-sporazumenie (in Bulgarian) https://old.nra.bg/en/page?id=711 (in English)
31.	Is there any other information available on the implementation of MAP agreements?	NO		