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***GUIDELINES FOR THE PROCEDURE AND MECHANISM FOR THE PROVISION OF  
THE SERVICE OF INDIRECT REPRESENTATION BY BULGARIAN POSTS PLC***

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## 1. PURPOSE AND SCOPE

By implementing these Guidelines, Bulgarian Posts Plc aims to ensure compliance with the procedure and mechanism for implementing the indirect representation service by Bulgarian Posts Plc before the Customs Agency.

Regarding the raised issues, within the framework of the Customs Union and in fulfillment of Bulgaria's commitments as a Member State of the European Union in the field of customs, the customs administration applies the Community customs legislation.

Specifically, the electronic exchange of data as to customs clearance of goods is regulated in Commission Delegated Regulation (EU) 2015/2446 of 28 July, 2015 supplementing Regulation (EU) No. 952/2013 of the European Parliament and of the Council laying down detailed rules for certain provisions of the Union Customs Code and Commission Implementing Regulation (EU) 2015/2447 of 24 November, 2015 laying down detailed rules for the implementation of certain provisions of Regulation (EU) No. 952/2013 of the European Parliament and of the Council laying down the Union Customs Code.

The two regulations are part of the package of new customs legislation and ensure the implementation of Regulation (EU) No. 952/2013 of the European Parliament and of the Council laying down the Union Customs Code of 1 May, 2016.

The aim of these regulations is to modernize customs legislation and procedures, as well as the use of customs information systems, so as to facilitate interaction with customs information systems, so as to facilitate interaction with customs authorities and the activities of economic operators, reducing the administrative burden, while ensuring safe and secure trade in goods in the EU.

In this regard, a Customs Declaration with a reduced set of data in column H7 (Customs Declaration for release for free circulation of a shipment benefiting from relief from import duty in accordance with Article 23(1) or Article 25(1) of Regulation (EC) No. 1186/2009) has been introduced in EU legislation as of 1 July, 2021.

## 2. RELEASE OF SHIPMENTS

According to the customs legislation of the Union, the recipients of postal and courier shipments may **declare themselves for free circulation and end-use the goods included in the shipments or be represented before the customs authorities by a customs representative.**

### 2.1 Self-representation

In the event that the recipient (a natural person or a legal entity) wishes to represent themselves before the customs authorities and declares this wish by phone/email/in writing, the CN23 and/or the CP71/72/E1 documents accompanying the shipment are provided to the recipient (depending on their wish): electronically or by official mail, for which the recipient does not pay a fee.

**The same are blocked for processing by the Contact Group** in the “Alpha Agent” software application.

## **2.2 Representation by Bulgarian Posts /indirect representation/**

If the recipient wishes for Bulgarian Posts (BP) to represent them and to use the Customs Representation service, it is necessary to send completed and signed copies of the Declaration of Consent (Appendix 1) and the Declaration of Value (Appendix 2) either via email or by submitting them in person at any post office. When the goods are subject to a commercial transaction, in addition to the Declaration of Consent and the Declaration of Value, the recipient is also required to send: an order confirmation from the website and/or an invoice matching the shipment's tracking number and/or a commercial document containing a description, value, and delivery terms of the received goods, as well as a payment receipt from a bank card/PayPal or another document proving that the payment has been made.

### **2.2.1 Receiving and processing documents in cases where the recipient has decided to use the Customs Representation service**

#### **2.2.1.1 Small packages and parcels (Contact Group)**

After receiving the required documents for the Customs Representation service by email/post, an employee of the Contact Group completes them with CN23, CP71/72 (original or duplicates) and enters in the Customs Service module of the Postal Service program that the documents are complete, and then transfers them to the Contact Group Controller. The Contact Group Controller transfers the completed documents to the Customs Clearance Group Controller.

The Customs Clearance Group Controller reviews the documents submitted to them and proceeds as follows:

- In case additional documents are required, the Customs Clearance Group Controller returns them to the Contact Group Controller for contacting the recipients and obtaining the missing documentation.
- In case they are sufficiently clear and accurate, the documents are submitted for preparation of a customs declaration.

#### **2.2.1.2 EMS shipments („Contact Group”)**

After receiving the required documents by email/mail for the Customs Representation service, an employee of the Contact Group completes them with CN23 and/or E1 (original or duplicates) and enters in the Customs Service module of the Postal Service program that the documents are completed, and then passes them on to the Contact Clearance Group Controller.

The Customs Clearance Group Controller reviews the documents submitted to them and proceeds as follows:

- If additional documents are required, the Customs Clearance Group Controller returns them to the Contact Group Controller for contacting the recipients and obtaining the missing documentation.
- If they are sufficiently clear and accurate, the documents are submitted for preparation of a customs declaration.

## 2.2.2 **Preparation of a customs declaration by the Customs Service Unit** at the Bulgarian Exchange and Sorting Centre (BESC)

2.2.2.1 If the department which prepares customs declarations “Customs Clearance” has received information for the preparation of a Single Administrative Document (SAD)

**The duty of the employee** who will prepare the customs declaration is to verify the following:

- Whether the customer has submitted a Declaration of Consent to Bulgarian Posts Plc for customs representation.
- Whether the customer has submitted a Declaration of Value to Bulgarian Posts Plc for customs representation.
- Whether the customer has submitted an order or invoice for the shipment subject to customs clearance.
- Whether the provided documents are sufficient for preparing the customs clearance.
- If part of the required information is missing, the Contact Center must be notified to obtain it.
- Once the accurateness of the data entered in the customs declaration is confirmed, the employee sends electronically the customs declaration for import and receipt of an LRN.
- For all other shipments for which the Customs Agency has no objections, declarations are prepared based on the electronic message, and the customs declaration is submitted for import and receipt of an LRN.

**The duty of the controller is:**

- To check whether the customs declaration has been prepared correctly.
- To check whether the customs value of the goods has been submitted correctly.
- To check whether the tariff classification of the goods has been determined correctly.
- To distribute documents to the employees.
- To check the prepared inventory with declarations for the Customs Agency.

2.2.2.2 **For shipments worth less than the BGN equivalent** of 150 euros, for which customs inspectors do not require additional actions (documentary, physical and other type of control), a customs declaration is prepared under column H7, based on the previously received electronic data from the postal operator at the place of origin of the shipment. Currently, after receiving the Declaration of Consent and Declaration of Value, we are also performing representation as described, using electronic data.

2.2.2.3 **For shipments worth less than the BGN equivalent** of 150 euros, for which customs inspectors require additional actions (documentary, physical and other type of control), a customs declaration is prepared under column H7, based on the **completed documents**. The prepared declarations, using the Alpha Agent software application, are submitted electronically to the customs administration. The

documents of the prepared and submitted electronically H7 customs declarations are handed over to the customs inspectors along with an inventory list.

**2.2.2.4 For shipments worth from the BGN equivalent of 150 euros up to the BGN equivalent of 1000 euros,** a customs declaration under column H6 is prepared based on the completed documents. The prepared declarations, using the Alpha Agent software application, are submitted electronically to the customs administration. The documents of the prepared and electronically submitted H6 customs declarations are handed over to the customs inspectors along with an inventory list.

**2.2.2.5 For shipments worth more than the BGN equivalent of 1000 euros,** a customs declaration under column H1 is prepared based on the completed documents. The prepared declarations, using the Alpha Agent software application, are submitted electronically to the customs administration. The documents of the prepared and electronically submitted H1 customs declarations are handed over to the customs inspectors along with an inventory list.

Customs inspectors carry out their checks on the received documents and release the shipment for free circulation. The documents for the shipment, CN23 and/or CP71/72, are handed over to the controller of the Customs Clearance Group, who in turn hands them over to an employee of the Customs Representation for printing form 212 or affixing a stamp “cash on delivery”.

The completed documents, CN23 and/or CP71/72 (originals and duplicates), together with the printed form 212, are handed over to the designated employee, who removes the shipment from the warehouse and sticks the printed form 212 on it. Each shipment removed from the warehouse is indicated in the IPS and Alpha Agent programs to register the event.

Small packages and parcels are dispatched via the internal sorting network to the post offices of delivery, described in T&T as shipments with insured value.

Declaration documents for which customs inspectors require additional data or documents are returned to Customs Clearance and/or the Contact Group for follow-up actions, which is indicated in the Customs Service module of the Postal Service program.

### **3. PERIODS FOR RETENTION OF PERSONAL DATA OF INDIVIDUALS BY BESC IN CASE OF INDIRECT REPRESENTATION:**

#### **3.1 Retention of personal data in case of indirect representation:**

Personal data contained in documents, including those stored in the automated information systems of Bulgarian Posts Plc, processed in connection with tax and social security control (customs declaration and declaration of informed consent), are retained for a period of 10 years after the expiration of the limitation period for the settlement of the public obligation, in accordance with Section 8, Article 51 of Regulation (EU) No. 952/2013.

The retention of data related to the processing of declarations is carried out on paper, electronic media, and within the information systems of BESC, which are protected by 24/7 security and video surveillance. The premises where the server equipment is located has restricted access and strict compliance with the implemented network and information security measures. Daily backups of personal data stored on the serves are performed.

Bulgarian Posts Plc takes the necessary physical, organizational, and technical measures to protect processed data from accidental or unlawful destruction, accidental loss, unauthorized access, alteration and distribution as well as from other unlawful forms of processing.

### 3.2 Retention of personal data in case of refusal of customs representation:

According to the customs legislation of the European Union, recipients of postal and courier shipments may declare goods contained in the shipments for release for free circulation and end use on their own or be represented before the customs authorities by a customs representative. In both cases, a customs declaration is prepared, meaning the retention period remains the same as in section 3.1 – 10 years.

### **3. ATTACHMENTS:**

- „Declaration of Consent“ /Appendix 1/
- „Declaration of Value“ /Appendix 2/