

**Question for written answer P-002293/2014
to the Commission**

Rule 117

Michael Theurer (ALDE)

Subject: Draft Bulgarian law on the National Audit Office

The Bulgarian Government has recently presented a draft law reforming the rules of governance of the Bulgarian National Audit Office. Several concerns have already been expressed with regard to the compliance of the planned measures with international standards, in particular with the principles laid down in the International Organisation of Supreme Audit Institutions' Lima and Mexico Declarations. In particular, it appears that the following provisions would represent serious breaches of these principles:

- The members of the Audit Office, composed of a college of nine members, will not be required to have any special experience of auditing activities.
- The draft law provides for auditing divisions which will be managed by the members of the college, for whom no professional requirements are stipulated.
- The draft law repeals the requirement that auditors must hold a certificate proving their professional capacity and qualifications as required by the current legislative act.
- Under the draft law, the annual report of the Audit Office would be subject to a vote in the National Assembly, thus creating the possibility of a vote of no confidence in the Audit Office executive. This is contrary to the mandate principle which assures the institution's independence.
- The draft law would allow a majority of the Audit Office's members to suspend the mandate of any of their colleagues whose conduct they consider to be 'unacceptable'.

Has the Commission been consulted or notified of the draft law prepared by the Bulgarian Government ahead of its presentation to the Bulgarian National Assembly?

Does the Commission consider the measures and provisions laid down in the draft law to be in compliance with international standards, in particular with Articles 5 and 6 of the Lima Declaration and Articles 2 and 3 of the Mexico Declaration, which guarantee the independent functioning of the auditing institutions and, in particular, the independence and integrity of their members?

In light of the serious breach highlighted above, could the Commission provide comments and recommendations to ensure that the planned provisions do not put at risk the effectiveness of the audit and political independence of the Bulgarian National Audit Office from EU funds and Bulgarian public assets?