

# Foreword

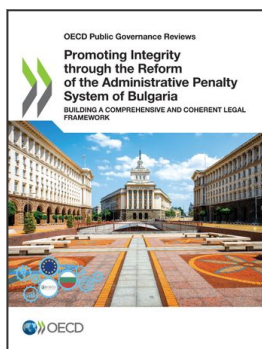
Administrative penalties are an important way to enforce compliance with legal instruments and regulations, and can apply to many areas of public administration, including procurement, environment, real estate, competition law, regulation of markets (energy, financial services, transport), and consumer protection. However, the entire process of enforcing laws and regulations through administrative penalties is subject to integrity risks, from ascertaining a violation, to imposing a sanction or deciding on appeals.

Corrupt behaviour on the part of those involved in the enforcement process can be encouraged or discouraged by various factors, including the extent to which the legal framework is clear, homogenous, comprehensive, coherent and objective. For example, if legal instruments have too narrow or too broad ranges of possible sanctions and no criteria for applying them, there is a greater possibility for officials to use the system for personal gain. In turn, such behaviour not only undermines the goals and objectives of regulations, but also broader compliance with the rules, citizens' trust in a country's public sector, rule of law, and investment climate.

Bulgaria has identified the prevention and sanctioning of corruption among the bodies in charge of enforcing the administrative legal framework as one of its anticorruption priorities. To address it, the Bulgarian government decided to undertake an in-depth analysis of the legislation on administrative penalties with a view to reforming it. This report – part of an EU-funded project under the Structural Reform Support Programme – seeks to support such efforts.

This report is part of OECD work on public integrity, which is the consistent alignment of, and adherence to, shared ethical values, principles and norms for upholding, and prioritising the public interest over private interests in the public sector. The OECD Recommendation on Public Integrity calls for countries to apply “fairness, objectivity and timeliness in the enforcement” through the disciplinary, administrative, civil, and/or criminal process.

The review was approved by the OECD Working Party of Senior Public Integrity Officials (SPIO) on 22 March 2022 and declassified by the Public Governance Committee on 28 April 2022 and prepared for publication by the Secretariat.



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