

OPINION

by Assoc. Prof. Plamena Dimitrova Penova, PhD

on

the dissertation thesis

for the award of the educational and scientific degree

DOCTOR

Field of higher education:

Social, economic and legal sciences (3.)

Professional field: Law (3.6)

Scientific specialty: Theory of state and law

Author of the dissertation:

Kiril Stoyanov Ilchev,

full-time doctoral student at the Department of "Theory and History of Law" of the Faculty of

Law of the Plovdiv University "Paisiy Hilendarski"

Topic of the dissertation:

Economic Impact Assessment Of The Regulatory Legal Acts

According to the order of the Rector of the Plovdiv University "Paisiy Hilendarski" No. RD-22-810 dated 02.04.2025, I am appointed as a member of the scientific jury in connection with the public defense of the dissertation work of Mr. Kiril Stoyanov Ilchev for the acquisition by him of the educational and scientific degree "Doctor" (PhD) in the professional field of Law (3.6), scientific specialty "Theory of State and Law". Mr. Ilchev is enrolled as a full-time doctoral student at the Department of "Theory and History of Law" of the Faculty of Law by Order of the Rector of the Plovdiv University "Paisiy Hilendarski". At the first meeting of the Scientific Jury, I was assigned to prepare an opinion on the dissertation work.

In fulfillment of the order of the Rector of the University and the decision of the Scientific Jury, guided by the requirements of the Law on the Development of the Academic Staff of the Republic of Bulgaria and the Regulations for its implementation, I offer to the attention of the esteemed members of the Scientific Jury my findings and conclusions, as well as my conclusion motivated by them.

The topic of the dissertation work "Economic Impact Assessment Of The Regulatory Legal Acts" has scientific value and practical significance. It is related to the topic of assessing the impact of regulatory acts as a tool for ensuring efficiency, predictability, transparency in the process of developing and adopting regulatory acts and as a means of improving the quality of the regulatory process, as well as the effectiveness of legal norms. The relevance of the presented work is determined by the absence of modern research devoted to this issue in our country, and also by the urgent need to improve the legislative process. It should be noted that the institute of the assessment of the impact of regulatory acts is a mechanism in the legal system aimed at analyzing the possible effects of certain regulatory amendments before their adoption. Raised as a separate topic and examined through the approach applied by the doctoral student, the issue of assessing the economic impact of regulatory acts in the context of its legal and economic dimensions has been successfully developed, and there is a successful study of the presented issue.

Mr. Kiril Ilchev shows a good level of knowledge of the subject, which contributes to achieving the goals set in the introduction of the dissertation. The factual and theoretical material used is the basis for achieving these goals. The knowledge of the dissertation candidate in the field of the Theory of State and Law, but also in the economic field, provides an opportunity to study the various aspects of the mechanism of assessing the impact of regulatory acts in its legal and economic aspects. This allows one to delve into the issues raised, and at

the same time to cover the entire rich set of issues related to the theory and practice of the subject under study.

The dissertation has 274 pages. . It consists of a table of contents, a list of abbreviations, an introduction, three chapters, a conclusion, a declaration and a bibliography. It contains 12 tables, 2 graphs and 430 footnotes, with the Bibliography containing 189 titles in English and Bulgarian, internet sources and court practice.

The dissertation can be defined as an independent and comprehensive study focused on the institute of impact assessment of regulatory acts in its legal and economic dimensions with an interdisciplinary nature. The scientific work includes an interesting and in-depth review of these issues. Since the methodological basis of the dissertation contains a complex and multi-layered study of the phenomenon of "impact assessment", it uses a variety of research approaches with a predominantly descriptive and analytical research method. This allows for a systematic presentation and critical analysis of the existing regulatory framework and practice.

Structurally, the work is structured in accordance with the set goals, objectives and subject of research.

Chapter one of the dissertation is entitled "General Characteristics and Concept of Impact Assessment of Regulatory Legal Acts". Mr. Ilchev traces there the historical development and the emergence of the idea of impact assessment. The author of the dissertation explains the characteristics in detail and features of the institute of impact assessment, examines its foundations in a historical context and traces the emergence of the institute by presenting the practice of its initial implementation by the administration in the USA, and then - its subsequent adoption by the institutions in the European Union and in Bulgaria. The dissertationist adopts the idea that the purpose of the mechanism of impact assessment on regulatory acts is its successful implementation as a means of making effective decisions by the regulatory authorities, and not to replace the political decisions themselves.

In Chapter two of the study, the dissertationist already focuses on specifying the assessment of the economic impact of regulatory acts. The questions he raises in this part of the dissertation concern the mechanisms of functioning of impact assessments in the EU, as well as their regulation in Bulgarian legislation. The author examines the two main types of impact assessments – preliminary (ex ante) and subsequent (ex post) – in Bulgaria. The work examines their main characteristics and specifics. The subject of analysis is also the principles, criteria and indicators of impact assessment in the rule-making process and the procedural

stages of implementing impact assessment. Then the focus of the study is directed to the assessment of the economic impact of regulatory acts.

In the third chapter, the dissertation offers an analysis of the practice of implementing impact assessments, using empirical data from various sources, including research by the National Center for Parliamentary Research at the National Assembly, reports of the Council of Ministers on impact assessments, analyses published within the framework of the "Legal Barometer" initiative, as well as relevant case law. The analysis also examines methods and techniques that have been established in practice and are used in conducting assessments, with particular emphasis on economic instruments.

An approach that is initially non-standard for theoretical research in the field of legal science is used. It refers to the presented analysis of "good practices", based on empirical data from institutions such as the World Bank, and several indicators "for assessing public governance, which include voice and accountability, political stability, government effectiveness, quality of the regulatory framework, rule of law and control of corruption" are used as criteria.

Mr. Ilchev has managed to integrate into his study a certain critical view of the legal framework of impact assessments in our country. According to him, there is a need for more clarity, a deeper understanding and standardization of the regulatory framework, of the concepts, procedures, principles, criteria within the framework of the rule-making process. In this regard, the author formulates proposals *de lege ferenda*. He proposes to regulate at the statutory level legal requirements for the uniform application of impact assessments; to regulate rules related to their content in order to avoid and overcome the too formalistic approach in their implementation; to regulate rules related to legal liability and the consequences of failure to comply with or violation of the provisions for the implementation of impact assessments - by making amendments to the current regulatory acts.

A list of four publications of the author related to the topic of the dissertation is attached to the dissertation. The abstract submitted by the dissertation candidate meets the requirements and contains the necessary elements.

Several recommendations can be made regarding the dissertation. These recommendations relate primarily to the style of presentation. In some instances, the author unnecessarily complicates the exposition of widely known and repeatedly established facts, while in others, their clarification is insufficient. Additionally, although the dissertation covers a broad range of topics, I would recommend placing greater emphasis on the core legal issues in order to achieve a more in-depth analysis within the scope of legal scholarship. I am of the

opinion that these areas for improvement in no way diminish the academic value of Mr. Ilchev's dissertation.

In conclusion, I give my positive opinion for the presented work, bearing in mind that it contains scientific results representing an original contribution to legal science, as well as the theoretical knowledge of the doctoral candidate, and his ability for independent scientific research.

Dear members of the Scientific Jury,

As stated above, I present my positive opinion on the dissertation work "Economic Impact Assessment Of The Regulatory Legal Acts" and recommend to the Scientific Jury to award the educational and scientific degree "Doctor" in professional field 3.6. Law, scientific specialty "Theory of State and Law" to Mr. Kiril Ilchev.

30.05.2025

Prepared the opinion:

Assoc. Prof. Plamena Penova, PhD