

RULES
FOR DETERMINATION OF THE CONDITIONS, THE ORDER AND THE CRITERIA
FOR PROMOTION OF JUDGES, PUBLIC PROSECUTORS AND INVESTIGATORS

(established with a decision of the Supreme Judicial Council (SJC) according Record N 1 from 10.01.2013)

Art. 1. The present rules lay down the conditions, the order and the criteria for the promotion of judges, public prosecutors and investigators.

Art.2. The magistrates are promoted when they show positive results with insignias of honour and/or awards for high professionalism, exemplary discharge of duties and high moral qualities.

Art.3. The promotion is meant to stimulate the magistrates in their daily work.

Art.4. The magistrates can be promoted with the following insignias of honour and/or awards:

4.1. Insignias of honour:

- a) official gratitude and honorary diploma;
- b) personal sign of honour second degree – silver;
- c) personal sign of honour first degree – golden;
- d) preterm promotion of rank

4.2. Awards

- a) money
- b) material

Art.5. The following insignias: “personal sign of honour first degree – golden” , “personal sign of honour second degree – silver”, and “preterm promotion of rank” are personal and the one “official gratitude and honorary diploma” can also be collective.

Art.6. Insignia of honour can be combined with an award. The value of the money or material reward cannot overtop the basic monthly salary of the promoted magistrate. When the award is collective, its value cannot overtop the amount of the highest basic monthly salary of the magistrate from the respectively structural unit of the judicial body, respectively the working group or another collective body, determined with an order of the administrative head or with a resolution of SJC.

Art.7. The type of the insignia of honour or of the award is determined according to the personal or collective contribution for exemplary discharge of duties, according to the shown high professionalism in performing of the functions and the tasks of the respective judicial body and also according to the significance of the results.

Art.8. The insignias of honour and the awards are defined with a resolution of SJC on the proposal of the bodies and the persons indicated in Art. 304, Par. 1 from the Judiciary System Act.

Art.9. The proposal from Art.8 must be motivated and accompanied by an opinion of the corresponding Ethics Committee of the judicial body about the moral qualities of the proposed for a promotion magistrate. When the administrative head makes a proposal based

on the proposal of the Inspectorate to the SJC, according to Art. 304, Par. 2 from the Judiciary System Act, his proposal should be applied to the one according to Art.8.

Art.10. The received proposal together with the opinion of the Ethics Committee and the proposal from the Inspectorate to the SJC according to the second sentence of Art.9, is reviewed by the Committee on proposals and assessment of judges, prosecutors and investigators of the SJC. When the proposal for promotion includes money and/or material award, the resolution of the Committee on proposals and assessment of judges, prosecutors and investigators is cohered with the "Budget and Finance" Committee about the presence of funds in the budget of the judiciary.

Art.11. With the insignia of honour “official gratitude and honorary diploma” are promoted magistrates that have irremovability status, and have significant contribution for the discharge of a specific work task and have achieved high professional results during the discharge of their functions.

Art.12. With the insignia of honour “personal honour sign second degree – silver” are promoted magistrates who have irremovability status, who are distinguished with perfect and high professional discharge of duties in all the indicators for achieving of promptness and quality of the decreed acts in the relevant judicial body.

Art.13. With the insignia of honour “personal honour sign first degree – golden” are promoted magistrates that have irremovability status, with an exclusive contribution in reforming of the relevant judicial body and in stabilizing its authority, that systematically and constantly show high professionalism and are distinguished with achieved permanent results in their official work, with perfect and exemplary discharge of their official duties and are an example for high moral qualities.

Art.14. In connection with anniversaries /when magistrates complete 50 or 60 years/ and when they are dismissed on conditions according to Art. 165, Par.1, Sec.1 of the Judiciary System Act /when retired/, to the magistrates can be given insignia of honour according to Art. 4.1 on condition that they cover the requirements in Art. 11, 12 and 13. The proposal for promotion with insignia of honour is made to the SJC no later than 30 days before the date of the rewarding or the event.

Art.15. In exceptional cases of manifested high professionalism, exemplary discharge of official duties and high moral qualities, a judge, a prosecutor and an investigator are promoted with insignia of honour “preterm promotion of rank”.

Art.16. With insignias of honour can be honored posthumously magistrates on conditions according to Art.11, 12 and 13.

Art.17. With “money or material award” insignia of honour are promoted magistrates that have irremovability status, that during periodically evaluations or inspections of the Inspectorate to the SJC have shown that for the inspected periods have worked in workload close to the highest one of the relevant judicial body, all their acts are decreed in reasonable terms and are revocable equal to the lowest for the relevant judicial body.

Art.18. With “money or material award” insignia of honour are promoted separate structural units in the judicial bodies /departments, chambers, sections and others/, for term and professional discharge of important official tasks, and also for permanent professional results.

Art.19.SJC gives the insignia of honour and/or the award to the relevant magistrate or the structural unit formally and in public.

Art.20. The names of the promoted magistrates and of the members of the structural units are published in a separate section in the web-page of SJC.

Art.21. The proposal and the resolution of SJC for promotion are applied to the personnel file of the magistrate and the members of the structural unit.

ADDITIONAL AND FINAL PROVISIONS

§.1. The present rules are adopted in accordance with the provisions of Art. 303 and 304 from Chapter fifteen of the Judiciary System Act.

§.2. The rules for determination of the conditions, the order and the criteria for promotion of judges, public prosecutors and investigators are adopted, inset and changed with a resolution of SJC and are published on its web-page.