

# GENERAL CONDITIONS FOR SALE OF BULGARIAN STANDARDS, STANDARDIZATION DOCUMENTS AND OTHER BDS PUBLICATIONS AND FOR PROVISION OF SERVICES

Standards, standardization documents and the other editions distributed by the Bulgarian Institute for Standardization (BDS) and the services it provides, are subject to acceptance by the customer of the general conditions of use and the requirements of copyright as specified below.

You should carefully read the general conditions for sales before you place an order to purchase standards or use a service.

When you purchase standards, this implies that you accept the conditions set out herein. By placing an order, you accept both the Privacy statement and BDS General Conditions.

These conditions may be subject to change without prior notice at any time when BDS deems it necessary.

## 0. TERMS AND DEFINITIONS

For the purposes of the conditions of sale the following terms and definitions are accepted:

**Standard** means Bulgarian standard (BDS, BDS EN, BDS ISO, etc.), standardization document (SD), draft standard and publication that BDS provides under these conditions.

**Bulgarian standard** means a standard that is developed at national level or which implements European or international standard, adopted and approved by BDS and is generally accessible.

**Electronic format** of standard means standard in PDF format.

**Online delivery** means BDS delivery system of Bulgarian standards, draft standards and standardization documents via Internet at: [www.bds-bg.org](http://www.bds-bg.org).

**Customer** means a person wishing to purchase a standard from BDS and for this purpose places an order.

**Reproduction** means using a standard for duplication of its content and it includes methods such as photocopying, printing, microfilming, scanning, etc.

## 1. ORDERS OF STANDARDS

BDS sells and the customer purchases standards through:

- a written request received by fax or e-mail, converted into an order by BDS employees;
- an order made on-the-spot at BDS offices;
- customer's order made through BDS website.

Orders are made either by the customer via BDS automated order system on BDS website ([www.bds-bg.org](http://www.bds-bg.org)) or by a BDS employee. BDS confirms the acceptance of the order.

The payment can be made by bank card on the spot at BDS premises or through ATM payment, at EasyPay cash desk, by bank payment order, by transfer through the electronic payment system [ePay.bg](http://ePay.bg)

The customer is responsible for the accuracy of the data specified in the order.

In case changes are required as a result of the processing of the order (supplementing the order with new items: amendments to a standard, specifying the format, etc.), our employee will contact you within one working day to correct the order.

BDS is not responsible to the client for any misunderstanding that may arise from verbal messages between the parties, irrespective of their origin. Any formal notice that each of the parties may or is required to make should be sent and registered by post with the aim of documentary proof of its receipt.

After verification of the payment, the orders shall be executed within 2 working days by BDS employees, exceptions are possible for reasons beyond BDS control.

## **2. PRICES OF STANDARDS**

The prices of standards are listed at BDS website according to the Pricelist, approved by BDS Governing Board.

BDS members except corporate members enjoy 20% discount on Bulgarian standards and standardization documents. No discount is made for BDS editions and draft standards.

The following discounts can be made for purchasing large amounts of a given standard:

- from 8 to 10 pcs.            5% discount per unit
- from 11 to 20 pcs.        10% discount per unit
- from 21 to 50 pcs.        15% discount per unit
- from 51 to 100 pcs.       20% discount per unit
- over 100 pcs.              40% discount per unit

When a standard is delivered in two types of formats, for the purchase of the second format the discount is 50%.

Postal costs are borne by the recipient.

In case, due to an objective reason a customer loses a purchased standard, regardless of the format a duplicate of the standard can be provided upon payment of 20% of the price of the standard.

No duplicate of foreign standards can be issued.

## **3. ONLINE DELIVERY OF STANDARDS**

After verifying the payment by a BDS employee, the standards ordered online are available for download immediately or:

- up to 2 working days for standards which are not available in PDF file in the full text database;
- after solving the problem in case of delay beyond BDS reasons.

The standards will be available to the customer for download within two months from the date of order.

When the period for downloading expires, the standard can be provided again only by placing a new order with payment of 20% of its price.

The standard distributed in electronic format (PDF format) on CD or online is subject to BDS copyrights and distribution rights, and cannot be stored, copied, transmitted, networked or resold in any way.

The standard in electronic format (PDF format) is encrypted and provided with an inscription specific to each user, located at the bottom of each page. This inscription contains the following information:

- Customer's name
- Number and date of the order

- Distributor's name, i.e. Bulgarian Institute for Standardization
- Date and time of issuance of the invoice.

The standard in PDF format is intended for one customer. The customer buys the right to store this file on its personal computer (in cases where access is required in the user's network, see pt. 9) and can make one backup copy in electronic format.

The customer can print and keep one copy on paper from the PDF file. This printed copy can be used for internal use in its organization, without being copied or reproduced or resold in any form.

If you have problems downloading the file, call tel. + 359 2/81 74 525 or + 359 2/81 74 526.

In case of computer damage the files with standards may be transferred to another computer, provided they are deleted from the first one as their use with the new computer is in accordance with the terms of this agreement.

#### **4. PROVIDING ACCESS FOR ONLINE READING OF STANDARDS**

When a BDS customer wants to get acquainted with the text of a standard(s) he/she could choose to use the service "access for online reading of standards."

The service provides the opportunity to the customer to read selected Bulgarian standards available in BDS electronic database from his/her computer within 2 days of the activation of the order.

The orders for reading standards are requested online by the customer through BDS website ([www.bds-bg.org](http://www.bds-bg.org)).

The price for online reading of standards is listed at BDS website in accordance with the Pricelist, approved by BDS Governing Board.

The payment can be made by bank card on the spot at BDS premises or through ATM payment, at EasyPay cash desk, by bank payment order, by transfer through the electronic payment system ePay.bg

The customer is responsible for the accuracy of the data specified in the order.

After the payment has been verified, the ordered standards are available immediately for reading online, except in cases where there is a delay for reasons beyond BDS control. The standards will be available to the customer for reading within 2 calendar days effective from the date of verification of the payment for which the customer will be informed by a relevant message in the order.

The standard distributed for reading in electronic format (PDF format) is subject to BDS copyrights and distribution rights and cannot be stored, printed, copied, transmitted, networked or resold in any way, both in whole and in parts.

The standard in electronic format (PDF format) is encrypted and provided with an inscription "INTENDED FOR READING" placed diagonally on each page.

If there are problems with the file, call tel. + 359 2/81 74 525 or + 359 2/81 74 526.

For the service "access for online reading of standards" the terms of use under p. 7 and all conditions relating to copyright protection as described in this document are applied.

#### **5. PROVIDING SERVICE "SUBSCRIPTION ON THE ACTUALITY OF BULGARIAN STANDARDS"**

When a BDS customer wants to keep up-to-date the collection of standards that works with, he/she can use the service "subscription on the actuality of Bulgarian standards".

The service allows the customer to use the current Bulgarian standards and standardization documents by receiving regularly:

1. Information that AC corrigendum to a standard is published
2. Information that A1, A2, etc. amendment to a standard is published
3. Information that a standard implemented in English has been issued in Bulgarian translation

#### 4. Information that a standard is withdrawn and a new edition is published

The information is provided to the customer on monthly basis upon publication of BDS Official Bulletin by e-mail and/or via the customer's profile in the respective order placed for this service.

BDS employees make an initial reference on the actuality of the chosen standards and provide information to customer about the current status of these standards and the possible need to be updated. After the final clarification of the order the customer receives monthly information on changes in the chosen standards.

The subscription is for one year, after which it can be renewed.

If the customer wants to include new standards to the collection a new order should be made.

Prices for the service are specified in the Pricelist for sales of standards and standardization documents and for the services provided by the Bulgarian Institute for Standardization.

#### **6. PROVIDING SERVICE "EXPERT CONSULTATIONS"**

When a BDS client wishes to get consultation on issues that concern or relate to the implementation of national and European and International Standards implemented as BDS as well as to get answers to questions and guidelines related to the application of existing standards, he/she may benefit from the "Expert Consultations" service.

The "Expert Consultations" service is the expression in writing of an expert opinion of experts from BDS administration and Technical Committees on a specific request from the client.

The client sends a request to BDS according to an approved form (Request for consultancy service) and within 5 working days BDS sends an offer containing a price and time period for the execution of the service.

The price of the consultancy service is determined by negotiation and depends on the complexity and the number of hours required to prepare the expert opinion. In case an expert opinion cannot be provided on the particular case study, the client will be informed of this.

The client confirms his/her willingness to use the service according to the offer made by 100% advance payment of the service price.

The client decides on his own whether to comply with the expressed opinion or not.

#### **7. TERMS OF USE**

The user accepts that standards are not intended for further sale or rent.

The Bulgarian Institute for Standardization (BDS) is the copyright holder on Bulgarian standards and Bulgarian standardization documents and **has the exclusive right** to issue them, reproduce, distribute and sell under the Law on National Standardization (published in SG, No 88/04.11.2005, effective 05.05.2006).

The user is **not allowed** to copy, reproduce, publish, transfer to another server or send by post, transmit or distribute in any other way unspecified herein any part of Bulgarian standards or Bulgarian standardization documents **without BDS written authorization** (See Annex 2).

The user is obliged to take all necessary actions to prevent access of unauthorized third parties to BDS standards.

In case of infringement of BDS copyrights, the offender is responsible to civil and administrative-criminal liability under the Law on Copyright and Neighbouring Rights, including monetary compensation for suffered damages and lost profits.

**"Reproduction" means the use of a Bulgarian standard for duplication of its content and includes methods such as photocopying, printing, microfilming, scanning, data transmission, etc.**

Customer is responsible for the selection of standards and any advice or recommendation given by BDS employee regarding appropriateness for a particular purpose, use or application of a standard is intended for guidance only.

If you want the purchased BDS standards to be accessible to your employees in a computer network or printing, please address your requests to:

Bulgarian Institute for Standardization

Address: 13, "Lachezar Stanchev" Str.  
"Izgrev" complex, 1797 Sofia

E-mail: info@bds-bg.org

Telephone: + 359 2 81 74 523

Our employee will contact you within 2 working days to specifying the specific conditions.

The reproduction is strictly limited to the number of copies for which authorization is given. For any subsequent reproduction it is necessary to receive an additional authorization by BDS.

## **8. REPRODUCTION OF STANDARDS ON PAPER FOR INTERNAL DISTRIBUTION WITHIN THE ORGANIZATION**

If necessity occurs for reproduction of additional paper copies of purchased standards, for example for meetings, the customer pays 20% of the standard's price for each additional copy.

For this purpose BDS written authorization should be requested (See Annex 2).

**"Internal distribution" means that the reproduction of a standard is for internal use only within the organization and it is used by the employees within the premises of the organization as a working document.**

On the first page of each copy should be written the following text:

"Copied by (organization's name) with BDS authorization.

"BDS is not responsible for the quality of the copies made.

## **9. PROVIDING STANDARDS IN ELECTRONIC FORMAT FOR USE IN CUSTOMER'S NETWORK**

When the customer wants to use in its computer network standards in electronic format, it is subject to mutual agreement with BDS. The annual fee that is charged depends on the number of users who will use the standards in the network, the number of offices/branches (for organizations located in more than one place), and the number and the prices of the standards. When calculating the fee, each office/branch is counted as an additional user (See Annex 3).

## **10. REPRODUCTION OF STANDARDS IN THE ORGANIZATION'S DOCUMENTATION**

When reproducing standards or parts of standards in the documentation of the organization, such as manuals, expert solutions or audits regardless of the type of storage (paper or PDF format), the following principles shall apply:

- ✓ Necessity of BDS written authorization (See Annex 2).
- ✓ The total number of pages reproduced should not exceed 25% of the technical content of the standard.
- ✓ All copies bear the name of the organization responsible for the reproduction.
- ✓ BDS fee due is 20% of the value determined on the basis of the standard's price, the number of pages that are reproduced and the number of copies.
- ✓ BDS is not responsible for the quality of the copies made.
- ✓ The reproduction of Bulgarian standards for distribution over the Internet or online services is not allowed.

Authorization for the development of corporate standards based on Bulgarian standards is not necessary.

The use of standardized nomenclature, codes, symbols, signs and tables with characteristics is a legal implementation of the standards and is exempt from fees.

### **11. REPRODUCTION OF STANDARDS BY EDUCATIONAL INSTITUTIONS**

BDS encourages the use of standards for educational purposes.

When an order to purchase more copies of a standard for educational purposes is made the customer (the educational institution) pay the full price of the first copy and 20% of the standard's price for each additional copy.

If subsequently a new necessity occurs for reproduction of additional paper copies of a purchased standard, the customer (the educational institution) pays 20% of the standard's price for each additional copy.

For this purpose, BDS written authorization should be requested (See Annex 2).

BDS is not responsible for the quality of the copies made.

The fee for reproduction of parts of a standard is 20% of the standard's price specified in proportion of the total number of pages and number of the copies made.

The copies should bear the name of the educational institution.

If the educational institutions act as publishers of issues that are sold, they should pay fee for this as specified in item 12.

### **12. REPRODUCTION OF STANDARDS IN LITERATURE (BOOKS, MAGAZINES, PUBLICATIONS AND ETC.) AND FOR COMMERCIAL OR ADVERTISING PURPOSES (CATALOGUES, BROCHURES, PRODUCT LISTS, ETC)**

For reproduction of standards in publications or on products that are sold by book publishers and others, or by software developing organizations, the following principles shall apply:

- 1) Necessity of BDS written authorization (See Annex 2).
- 2) BDS does not authorize reproduction of whole standards in books, magazines, publications and others.
- 3) The total number of the reproduced pages should not exceed 25% of the technical content of the standard.
- 4) No distinction is made between reproduction on paper or in electronic format.
- 5) The fee due is 50% of the value determined on the basis of the standard's price, number of pages reproduced, and coefficient depending on the number of book circulated copies or product or the number of registered user licenses, see item 2.
- 6) On suitable place the following inscription should be placed:  
**"Reproduced with BDS authorization. For reference about the actual version of this standard, as well as for purchase of its latest edition you can contact BDS "**
- 7) BDS is not responsible for the quality of copies made.
- 8) When parts of standards are reproduced in brochures or other promotional materials BDS gives authorization only if these parts are presented in a manner that clearly differ from the original edition of the standard.

The fee due in this case is 50% of the value determined on the basis of the standard's price, number of pages reproduced, and coefficient depending on the number of circulated copies, see item 2.

### **13. BDS CONDITIONS ON RETURN OF CONSIGNMENTS**

Returns of orders for standards in PDF format, delivered online are not accepted and orders for such documents are not credited except for cases due to BDS mistake.

Returns of standards on paper or CD, DVD and other similar data storage sent by post or courier could be accepted only when the mistake is made by BDS.

BDS will substitute all defected products (pages on paper or CD) and will resend consignments or standards at its own expenses. The new data storage is sent after receiving the defective one by post.

BDS does not accept returned consignments without prior agreement or within 30 days after the delivery of the order.

**BDS DECLARES THAT IT SHALL COMPLY WITH THE APPLICABLE BULGARIAN LEGISLATION ON ISSUES RELATED TO THE INTERPRETATION OR THE COMPLIANCE WITH THESE CONDITIONS. YOU ACCEPT THAT YOU HAVE READ THE CONDITIONS AND AGREE TO FOLLOW THEM.**

TO

**AUTHORIZATION FOR THE LEGAL RIGHT TO USE OF BULGARIAN STANDARDS**

The Bulgarian Institute for Standardization gives authorization for the legal right to use in response of the request of ..... to create additional copies of the following purchased Bulgarian standards .....  
(organization name)

standards .....  
.....

(indicate the number of standards)

with the purpose .....  
(for internal distribution on paper in the organization, in the organization documentation, in educational institutions, in literature, for commercial and advertising purposes or other)

**RESPECTING THE COPYRIGHTS**

The authorized organization agrees to put at suitable location on the first page of each copy of the standard, subject to authorization, the following text:

**This standard is reproduced by (organization name) with BDS authorization.**

BDS is not responsible for the quality of the copies made.

**FEE**

BDS receives a fee amounting to ..... BGN calculated on the basis specified in the table below.

**TERMS OF USE**

The customer agrees that standards **are not** intended for further sale. The organization receiving the permission is not authorized to grant the authorization or the rights and obligations under this Agreement to third parties.

<b>TABLE FOR CALCULATING THE FEE FOR RIGHT TO USE</b>		
<b>PURPOSE OF USE</b>		<b>Fee for copying the standards calculated on the basis of:</b>
1	For internal distribution in the organization of additional copies on paper	20% of the standard's price multiplied by the number of copies made
2	In the organization's documentation	20% of the standard's price multiplied in proportion to the number of pages that are reproduced and the number of copies made
3	By educational institutions	20% of the standard's price or the number of pages that are reproduced multiplied by the number of the copies made
4	In literature	50% of the standard's price multiplied in proportion to the number of pages reproduced. (The fee depends on the number of circulated copies of the book or product or the number of user licenses issued)
5	For commercial and advertising purposes	10% of the standard's price multiplied in proportion to the number of pages reproduces. (The fee depends on the number of circulated copies).

Date:

**DIRECTOR:**



**EXAMPLE for calculation of the fee for the legal right to use standards in the customer's network**

<b>Calculation of the fee for use of standards in the customer's network</b>			
<b>Input data</b>			
Total value of the standards, BGN			600,00
Number of the standards			15
Number of the concurrent users in the network			7
<b>1. Discount, applied depending on the number of the standards</b>			
	Number of the standards		Discount
	to	1	0%
2	to	3	5%
4	to	6	10%
7	to	10	20%
11	to	15	25%
16	to	20	35%
21	to	25	40%
26	to	30	45%
31	to	50	50%
51	to	70	60%
71	to	90	65%
91	to	100	70%
101	to	120	75%
121		+	80%
<b>2. Coefficients applied depending on the number of the concurrent users in the network</b>			
	Number of the concurrent users in the network		Coefficient
1	to	1	1,00
2	to	3	1,50
4	to	5	1,75
6	to	10	2,50
11	to	15	3,50
16	to	20	5,00
21	to	30	6,00
31	to	50	8,00
51	to	100	9,50
101	to	150	12,00
151	to	200	15,00

201	to	+	an offer
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<b>3. Applicable discount and coefficient</b>	
<b>Discount applied to 15 standards</b>	25%
<b>Coefficient applied to 7 concurrent users in the network</b>	2,50
<b>Calculation of the fee for the legal right to use standards in the customer's network</b>	

<b>The calculation is based on the following data</b>	
Total value of the standards, BGN	600,00
Number of the concurrent users in the network	7
<b>4. Calculation of the fee for the legal right to use standards in the customer's network</b>	
<b>4.1 Agreement of type 1: Multiannual agreement of actuality</b>	
Single fee for acquisition, BGN	1 125,00
Annual maintenance fee, BGN	281,30
Total for the first year, BGN	1 406,30
<b>4.2 Agreement of type 2: One-year agreement of actuality</b>	
Single fee for acquisition, BGN	1 125,00
Annual maintenance fee, BGN	506,30
Total, BGN	1 631,30
<b>4.3 Agreement of type 3: Fee for single purchase</b>	
Fee for single purchase, BGN	1 500,00

## DISCOUNT PRICES OF BULGARIAN STANDARDS

1. When a Bulgarian standard implements a consolidated edition of the European standard with its amendment of the type EN+A1 or EN+A2 , etc. for its purchasing, BDS customers that have purchased the previous edition BDS EN (already withdrawn) enjoy a discount of 50 %.
2. When a Bulgarian standard implements European/International standard in one of the official CEN/CENELEC or ISO/IEC languages and subsequently it is issued with Bulgarian translation BDS customers that have purchased the first edition of the standard enjoy a discount of 30 % when purchasing the second edition.
3. When a Bulgarian standard implements European/International standard in one of the official CEN/CENELEC or ISO/IEC languages and subsequently it is issued with Bulgarian translation BDS customers that want to purchase both editions pay the price of the Bulgarian edition and enjoy a discount of 30 % of the foreign edition.
4. When a Bulgarian standard implements European/International standard in Bulgarian language and subsequently is withdrawn and superseded by a Bulgarian standard implementing European/International standard in one on the official CEN/CENELEC or ISO/IEC languages BDS customers can purchase the withdrawn edition of the standard in Bulgarian language at a discount of 50 %.
5. When a standard is delivered on two types of formats, for the purchase of the second format the discount is 50%.

If you want to use discount of the price of Bulgarian standards in each of the above cases, you should indicate this as a note to your request or order, such as:

- ✓ for standards purchased **AFTER** April 2008, the discount is applied after a check made by BDS for the presence of a valid invoice for purchased standard;
- ✓ for standards purchased **BEFORE** April 2008, the discount is applied after the customer provides a copy of a valid invoice issued by BDS proving that the standard has been purchased.