

[Home](#) > ... > [Taking Legal Action](#) > [European Judicial Atlas In Civil Matters](#) > [Brussels I Regulation \(recast\)](#) Bulgaria

Brussels I Regulation (recast)

Bulgaria

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FINDING COMPETENT COURTS/AUTHORITIES

The search tool below will help you to identify court(s)/authority(ies) competent for a specific European legal instrument. Please note that although every effort has been made to ascertain the accuracy of the results, there may be some exceptional cases concerning the determination of competence that are not necessarily covered.

Article 65(3) - Information on how to determine, in accordance with national law, the effects of the judgments referred to in Article 65(2) of the Regulation

Not applicable

Article 74 - Description of national rules and procedures concerning enforcement

Direct enforcement under Regulation (EU) No 1215/2012 is governed by Article 622a of the Code of Civil Procedure:

'Article 622a (new, State Gazette No 50/2015) (1) A judgment given in another Member State of the European Union shall be enforceable without the need for a writ of execution.

(2) The bailiff shall carry out enforcement, at the request of the party concerned, on the basis of a copy of the judgment from another Member State of the European Union, authenticated by the court which issued it, and a certificate issued pursuant to Article 53 of Regulation (EU) No 1215/2012.

(3) Where the bailiff establishes that the measure or order cannot be enforced under the conditions and in accordance with this Code, he shall order substitute enforcement.

(4) A judgment given in another European Union Member State ordering a provisional, including a precautionary, measure shall be enforceable in accordance with paragraphs 1 and 2. Where the measure was ordered without the defendant being summoned to appear, proof of service of the judgment shall be submitted.

(5) When carrying out enforcement, the bailiff shall serve a copy of the certificate referred to in paragraph 2, inviting the debtor to comply voluntarily. The certificate shall be accompanied by a copy of the judgment given in another Member State of the European Union if it has not been served on the debtor.

(6) The debtor may, within one month of service, lodge an application for refusal of enforcement. Where a translation of the judgment is necessary, the time limit shall be suspended until it is provided to the debtor.

(7) Either party may appeal against the adaptation of the measure or order referred to in Article 436.'

For matters relating to the enforcement proceedings not governed by Regulation (EU) No 1215/2012, the general rules of Part Five 'Enforcement Procedure' of the Code of Civil Procedure apply.

Article 75 (a) – Names and contact details of the courts to which the applications are to be submitted pursuant to Articles 36(2), 45(4) and 47(1)

The application under Article 36(2) or under Article 45(4) is filed with the provincial court with jurisdiction over the opposing party's permanent or registered address or, if that party has no permanent or registered address in Bulgaria, over the permanent or registered address of the party concerned. If the party concerned does not have a permanent address or registered address in Bulgaria either, the application is to be made to the Sofia City Court. (Article 622 of the Code of Civil Procedure)

The application under Article 47(1) must be submitted to the provincial court with jurisdiction over the permanent address or registered address of the debtor, or over the place of enforcement. (Article 622b of the Code of Civil Procedure)

Article 75 (b) – Names and contact details of the courts with which an appeal against the decision on the application for refusal of enforcement is to be lodged pursuant to Article 49(2)

- in Bulgaria, the Sofia Court of Appeal ('Софийски апелативен съд'). The appeal is submitted via the provincial court that issued the decision refusing enforcement or the decision finding that there are no grounds for refusal of recognition,

Article 75 (c) – Names and contact details of the courts with which any further appeal is to be lodged pursuant to Article 50

Further appeals against decisions of the Sofia Court of Appeal are to be lodged with the Supreme Court of Cassation. (Article 623(6) of the Code of Civil Procedure).

Article 75 (d) – Languages accepted for translations of the certificates concerning judgments, authentic instruments and court settlements

Not applicable

Article 76(1)(a) – Rules of jurisdiction referred to in Articles 5(2) and 6(2) of the Regulation

The Bulgarian courts and other authorities have international jurisdiction when the plaintiff or applicant is a Bulgarian national or a legal person registered in the Republic of Bulgaria (Article 4(1)(2) of the Code of International Private Law).

Article 76(1)(b) – Rules on third party notice referred to in Article 65 of the Regulation

Not applicable

Article 76(1)(c) – Conventions referred to in Article 69 of the Regulation

- the Convention between Bulgaria and Belgium on certain Judicial Matters, signed at Sofia on 2 July 1930,
- the Agreement between the People's Republic of Bulgaria and the Federal People's Republic of Yugoslavia on Mutual Legal Assistance, signed at Sofia on 23 March 1956, still in force between Bulgaria, Slovenia and Croatia,
- the Treaty between the People's Republic of Bulgaria and the Romanian People's Republic on Legal Assistance in Civil, Family and Criminal Matters, signed at Sofia on 3 December 1958,
- the Agreement between the People's Republic of Bulgaria and the People's Republic of Poland on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters, signed at Warsaw, on 4 December 1961,
- the Agreement between the People's Republic of Bulgaria and the People's Republic of Hungary on Legal Assistance in Civil, Family and Criminal Matters, signed at Sofia on 16 May 1966,
- the Agreement between the People's Republic of Bulgaria and the Hellenic Republic on Legal Assistance in Civil and Criminal Matters, signed at Athens on 10 April 1976,
- the Agreement between the People's Republic of Bulgaria and the Czechoslovak Socialist Republic on Legal Assistance and Regulation of Relations in Civil, Family and Criminal Matters, signed at Sofia on 25 November 1976,

- the Agreement between the People's Republic of Bulgaria and the Republic of Cyprus on Legal Assistance in Civil and Criminal Matters, signed at Nicosia on 29 April 1983,
- the Agreement between the Government of the People's Republic of Bulgaria and the Government of the French Republic on Mutual Legal Assistance in Civil Matters, signed at Sofia on 18 January 1989,
- the Agreement between the People's Republic of Bulgaria and the Italian Republic on Legal Assistance and the Enforcement of Judgments in Civil Matters, signed at Rome on 18 May 1990,
- the Agreement between the Republic of Bulgaria and the Kingdom of Spain on Mutual Legal Assistance in Civil Matters, signed at Sofia on 23 May 1993,
- the Agreement between the People's Republic of Bulgaria and the Republic of Austria on Legal Assistance in Civil Matters and Documents, signed at Sofia on 20 October 1967.

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