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## Serving documents (recast)

Bulgaria



Bulgaria

### 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 3(1) - Transmitting agencies

The transmitting agency for the service of writs and summonses in another Member State is the court before which the case is pending.

The transmitting agency for the service of extrajudicial documents in another Member State is the district court (*rayonen sad*) or bailiff with jurisdiction over the current or permanent address, or registered office, of the person or entity requesting service; and for documents certified by a notary, it is the district court with jurisdiction over the district in which the notary practises.

#### Article 3(2) - Receiving agencies

The receiving agency for service in Bulgaria is the district court (*rayonen sad*) in whose jurisdiction the documents are to be served.

#### Article 3(4)(c) - Means of receipt of documents

The district courts accept the delivery by post of requests for service and the attached documents to be served.

#### Article 3(4)(d) - Languages that may be used for the completion of the standard form set out in Annex I

The district courts accept forms completed in the Bulgarian language.

#### Article 4 - Central body

Ministry of Justice

International Legal Cooperation and European Affairs Directorate

Cooperation in Civil Matters Unit

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1040 Sofia

Bulgaria

## Article 7 – Assistance in address enquiries

In accordance with Article 7(1)(a), in Bulgaria, requests to determine the address of a person to be served with a document fall within the jurisdiction of the district court (*rayonen sad*) of the area in respect of which details have been provided. Where no address details have been provided, the Sofia District Court (*Sofiyski rayonen sad*) is competent.

Where the district court (receiving agency for service in Bulgaria) is unable to effect service at the address indicated by the party, it establishes of its own motion that the addressee has a permanent or current address and forwards the request for service to the relevant district court in whose jurisdiction service is to be effected.

## Article 8 – Transmission of documents

The form for requesting transmission of documents can be completed in Bulgarian, or accompanied by a translation into Bulgarian.

## Article 12 – Refusal to accept a document

The official language of Bulgaria is Bulgarian.

## Article 13 – Date of service

Bulgarian legislation does not specify a time limit for the service of documents.

## Article 14 – Certificate of service and copy of the document served

The Republic of Bulgaria allows the certificate of service and a copy of the document served to be drawn up in Bulgarian, or in English.

## Article 15 – Costs of service

Bulgarian legislation does not stipulate a fee for the service of documents in the normal way. A fee fixed in accordance with the Schedule of Fees and Costs under the Private Bailiffs Act is charged for the service of documents by a particular method.

## Article 17 – Service by diplomatic agents or consular officers

The Republic of Bulgaria allows service to be effected in Bulgaria in accordance with Article 17(1) only if the addressee is a national of the Member State in which the document originates.

## Article 19 – Electronic service

There are no additional conditions in Bulgaria for accepting electronic service.

## Article 20 – Direct service

Direct service under Article 20(1) is not permitted under Bulgarian legislation.

## Article 22 – Defendant not entering an appearance

The Republic of Bulgaria hereby states that it will not make use of the possibility provided for under Article 22(2).

An application under Article 22(4) may be filed with the Supreme Court of Cassation (*varhoven kasatsionen sad*) within 1 year of the date of the judgment.

## Article 29 – Relationship with agreements or arrangements between Member States

The Republic of Bulgaria does not apply and has not concluded any international agreements or arrangements with other EU Member States which aim to expedite or further simplify the transmission of documents.

The Regulation takes precedence over agreements concluded by the Republic of Bulgaria with other Member States as regards the service of documents in civil and commercial matters.

## Article 33(2) – Notification on the early use of the decentralised IT-system

Bulgaria does not at present intend to take advantage of the possibility of using the decentralised IT system earlier than required.

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