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National specialised courts

Bulgaria

This section provides information about specialised courts in the Bulgarian judiciary.

Specialised courts

No specialised labour, maritime, commercial or similar types of specialised courts operate in the Republic of Bulgaria.

Administrative courts

A system of administrative courts was put in place in the Republic of Bulgaria when a new Code of Administrative Procedure was adopted in 2006. The system of administrative justice encompasses 28 provincial administrative courts and the Supreme Administrative Court (*Varhoven administrativen sad*).

Administrative courts

Administrative courts have jurisdiction to review all actions seeking:

- to have administrative acts issued, modified, overturned or annulled;
- to have agreements under the Code of Administrative Procedure annulled;
- redress against unreasonable actions or omissions by the administration;
- redress against unlawful enforcement;
- compensation for damages resulting from any unlawful act, action or omission by administrative authorities and officials;
- compensation for damages resulting from enforcement;
- to have administrative court rulings annulled, invalidated or overturned;
- to challenge the authenticity of administrative acts under the Code of Administrative Procedure.

Anyone may bring an action to establish whether an administrative right or legal relationship exists, where applicants have standing and no other remedy is available to them.

Cases involving challenges to individual administrative acts are heard by the administrative court with territorial jurisdiction over the seat of the regional office of the authority which issued the contested act, where the applicant's permanent/current address or seat is located in the catchment area of that regional office. Such cases are heard by the administrative court with territorial jurisdiction over the seat of the authority which issued the contested individual administrative act, where:

- the contested act has several addressees whose permanent or current addresses are not in the catchment area of the issuing authority's regional office;
- the administration of the authority which issued the contested act does not have a regional office.

Cases involving challenges to general administrative acts are heard by the administrative court with territorial jurisdiction over the seat of the authority which issued the contested act.

The Sofia City Administrative Court (*Administrativen sad – grad Sofia*) hears cases if the authority which issued the contested administrative act has its seat in another country.

Actions for damages are also brought before the court with jurisdiction over the applicant's address or seat when actions for damages are joined in a dispute referred to in paragraphs 1–4.

Where the competent court is unable hear a case, the Supreme Administrative Court orders that the case be transferred to an administrative court of equal standing.

Administrative acts directly pursuing Bulgaria's foreign, defence and security policy are not subject to judicial review, unless the law provides otherwise.

Supreme Administrative Court

The [Supreme Administrative Court](#) has jurisdiction over:

- challenges to statutory regulations, excluding those issued by municipal councils;
- challenges to decisions of the Council of Ministers, the Prime Minister, Deputy Prime Ministers, and ministers;
- challenges to decisions of the Supreme Judicial Council (*Vissh sadeben savet*);
- challenges to decisions of the Bulgarian National Bank and its bodies;
- appeals in cassation and procedural appeals against judgments issued by courts of first instance;
- appeals by parties to proceedings against rulings and orders;
- applications for final judicial decisions in administrative cases to be overturned;
- applications contesting other acts specified by law.

The Supreme Administrative Court has divisions, which include panels. Divisions are headed by a president (or a deputy president) who may also preside over benches of judges in the division concerned.

Other specialised courts

Military courts

The history of military courts dates back to 1 July 1879. In 1956, military courts were restructured by locations of army corps in the cities of Sofia, Plovdiv, Sliven, Varna and Pleven. (This structure of military courts remains to this day.)

Military Court (*Voenen sad*)

As courts of first instance, [military courts](#) hear criminal cases involving crimes committed by serving military personnel, generals, and officers, noncommissioned officers and rank-and-file personnel of other ministries and agencies, civilian staff of the Ministry of Defence, the Bulgarian army, units reporting to the Minister for Defence, the National Service for Protection and the National Intelligence Service. The Military Court of Appeal (*Voenna-apelativen sad*) is the court of second instance for these cases. The Code of Criminal Procedure defines the jurisdiction of military courts. These courts have the same statute as provincial courts. **The Military Court of Appeal** (a single court) hears appeals (including procedural appeals) against decisions of all military courts in Bulgaria.

Specialised Criminal Court (*Specializiran nakazatelen sad*)

The Specialised Criminal Court was created by the Act amending and supplementing the Judicial System Act (promulgated in State Gazette No 1 of 2011). The Specialised Criminal Court is one of a kind in the Republic of Bulgaria (based in the city of Sofia) and has the standing of a provincial court. Its jurisdiction is defined by law. (Article 411a of the Code of Criminal Procedure includes an exhaustive list of crimes within the jurisdiction of the Specialised Criminal Court, most of them committed or ordered by organised crime groups).

The Specialised Criminal Court consists of judges and is headed by a president.

The Specialised Criminal Court of Appeal (*Apelativen specializiran nakazatelen sad*) reviews appeals (including procedural appeals) against decisions of the Specialised Criminal Court. Its seat is in Sofia.

The Specialised Criminal Court of Appeal consist of judges and is headed by a president. The **Supreme Court of Cassation** (*Varhoven kasatsionen sad*) is the highest criminal court, reviewing in cassation decisions issued by the Specialised Criminal Court of Appeal.

Arbitration Court of the Bulgarian Chamber of Commerce and Industry (AC BCCI)

AC BCCI settles civil disputes, including disputes related to filling in loopholes in contracts or altering their terms and conditions to reflect changing circumstances, regardless of whether the domicile of one or both parties is located in the Republic of Bulgaria.

AC BCCI has reinforced its position as Bulgaria's leading arbitration institution and enjoys public trust due to its highly professional work in resolving legal disputes. AC BCCI resolves 250 to 300 international and domestic disputes every year: 82% of domestic cases are resolved within 9 months, and 66% of international cases within 12 months.)

Furthermore, the **Arbitration Court** is actively involved in improving arbitration legislation. The only disputes not subject to arbitration concern rights in rem in respect of immovable property, maintenance claims, rights derived from employment relationships, and disputes concerning moral rights or family law.

Legal database

Court websites

All Bulgarian courts have websites which provide information on the court's structure and activity, including ongoing and closed cases, as well as other useful information available to the public.

The website of the **Supreme Judicial Council** provides a detailed list of courts in Bulgaria, including their address and websites (accessible in Bulgarian only). After being delivered, court decisions are published on the website of the issuing court in accordance with the requirements set out in the

Personal Data Protection Act and the **Classified Information Protection Act**.

Decisions in cases affecting the civil or health status of persons are published without their grounds.

More information is available on the following websites:

Supreme Administrative Court

Military Court (Voenen sad)

Arbitration Court of the Bulgarian Chamber of Commerce and Industry (AC BCCI)

The International Court of Arbitration

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