1 Under the law of this Member State, do special rules impose, for economic, family or social considerations, restrictions concerning or affecting the succession in respect of immoveable property, certain enterprises or other special categories of assets located in this Member State?

The substantive law in force disqualifies the following from becoming either an heir or a legatee:
(1) any person who was not conceived when the succession was opened, and
(2) any person who was born unviable.
Under the law, any person born live is presumed viable until the contrary is proved.
In addition to the above, the following are disqualified as unworthy of succession:
(1) any person who has intentionally killed or has attempted to kill the deceased, the spouse or a child of the deceased, and any accomplice in these criminal offences, unless the act was committed under circumstances excluding punishability, or the person concerned was amnestied;
(2) any person who has falsely imputed a criminal offence punishable by a custodial sentence or by a severer penal sanction to the deceased, unless the false imputation is prosecuted acting on a complaint lodged by the victim and such complaint was not lodged;
(3) any person who, using force or fraud, has induced the deceased to make, alter or revoke a will or has prevented the deceased from doing any of the above, or who has destroyed, concealed or modified a will of the deceased or has knowingly made use of a non-authentic will.
The unworthy of succession may only inherit if the deceased has expressly recognised them as worthy by an instrument with notarised contents or by a will. If the deceased, being aware of the reason of the unworthiness, has made a will in favour of the unworthy of succession without expressly recognising them as worthy, the unworthy of succession only inherits within the limits of the will.
Under Article 54 of the Family Code (*Semeen kodeks*) in force, once divorced, the former spouses cease to be each other's legal heirs and forfeit the benefits arising from any predating dispositions in the event of death.
This rule, however, does not apply if the testator has explicitly stated that the testamentary dispositions will continue to produce their effects after the divorce.
For its part, the Ownership Act (*Zakon za sobstvenostta*) imposes a restriction concerning succession in favour of a foreign State, providing that a foreign State may not acquire a right of ownership in an immovable property in Bulgaria by inheritance.
Bulgarian legislation imposes two more restrictions in special laws concerning the inheritance of immovable property, owing to the specific nature of the property concerned.
Thus, the Agricultural Land Ownership and Use Act (*Zakon za sobstvenostta i polzvaneto na zemedelskite zemi*) lays down special rules on the inheritance of such property: agricultural land.
Under Article 3b of that Act, any foreigners, who acquire a right of ownership in agricultural land upon inheritance by law but do not meet the conditions provided for in the Treaty concerning the Accession of the Republic of Bulgaria to the European Union, or unless otherwise provided for in an international treaty ratified under the procedure of Article 22(2) of the Constitution of the Republic of Bulgaria, are obliged to transfer the ownership to persons who are entitled to acquire such properties within three years of the opening of the succession.
In the same vein, Article 24(1) of the Forests Act (*Zakon za gorite*) imposes a restriction concerning property which constitutes woodland: any foreigners, who acquire a right of ownership in forests and woodland-stock land upon inheritance by law but do not meet the conditions provided for in the Treaty concerning the Accession of the Republic of Bulgaria to the European Union, or unless otherwise provided for in an international treaty ratified under the procedure of Article 22(2) of the Constitution of the Republic of Bulgaria, are obliged to transfer the ownership to persons who are entitled to acquire such properties within three years of the opening of the succession.

2 Under the law of this Member State, do these special rules apply to the succession in respect of the above-mentioned assets irrespective of the law applicable to the succession?

Under the general rule, if the rules of the special law come into conflict with the general rules, the rules of the special law prevail; therefore, the restrictive rules discussed above apply whenever the substantive prerequisites for this are in place.

3 Under the law of this Member State, do special procedures exist to ensure compliance with the above-mentioned special rules?

The Agricultural Land Ownership and Use Act has established a special procedure ensuring compliance with the obligation under Article 3b(1) of the same Act, enabling the State to buy out the agricultural lands at prices set by a regulation of the Council of Ministers if the foreigner fails to transfer the right of ownership within the time limit specified in that rule.
Similarly, in respect of property constituting woodland, the Forests Act provides that the State may buy out the agricultural land at prices set in a regulation of the Council of Ministers if the time limit under Article 24(1) of that Act is not observed.

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