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Small claims

Bulgaria

Article 25 1 (a) Competent courts

The court competent to deal with proceedings under this category is the district court (*rayonen sad*) with jurisdiction at the place of the respondent's permanent address or registered office.

Article 25 1 (b) Means of communication

Standard claim Form A must be filed directly with the competent district court or sent by post.

Article 25 1 (c) Authorities or organisations providing practical assistance

Practical assistance and information in accordance with Article 11 of the Regulation is provided by the European Consumer Centre in Bulgaria, which is part of the European Consumer Centres Network (ECC-Net). Information on the application of the Regulation is provided by the Ministry of Justice upon request.

Article 25 1 (d) Means of electronic service and communication and methods for expressing consent for thereof

The applicable means of service are as laid down in the current Code of Civil Procedure. Under Article 43, notices can be served personally or through any other person. The court may also order the notice to be served by adding it to the case file, by affixing it to the addressee's door or letter box or by public announcement.

Under Article 42(4) of the Code of Civil Procedure, the party to the proceedings may also be served with notices at an e-mail address. Notices are deemed to have been served once they have been entered in the information system.

Article 25 1 (e) Persons or professions, obliged to accept service of documents or other written communications by electronic means

None explicitly specified.

Article 25 1 (f) Court fees and the methods of payment

In accordance with the *Schedule of state fees charged by courts under the Civil Procedure Code*, court fees in Bulgaria are 4 % of the value of the claim, with a minimum of BGN 50.

Court fees are paid by bank transfer.

Under Article 13(3) of the Schedule, the fee for an application for a certificate for the recognition and enforcement of the execution of a Bulgarian court judgment is BGN 40.

Under Article 15 of the Schedule, the fee for an application for the recognition and enforcement of a judgment issued by a foreign court, arbitration court or other body is BGN 50.

Article 25 1 (g) Appeal procedure and courts competent for an appeal

Appeals against a European small claims decision must be lodged with the relevant provincial court (*okrazhen sad*) (Article 624(2) of the Code of Civil Procedure).

The appeal must be submitted within two weeks of the decision of the district court being served on the party in question. The appeal procedure is laid down in Chapter 20 of the Code of Civil Procedure.

The judgment of the provincial court is subject to appeal in cassation before the Supreme Court of Cassation under the conditions laid down in Article 280 (Article 624(2) of the Code of Civil Procedure).

The grounds and conditions for the enforcement of a decision on an appeal in cassation are explicitly laid down in Chapter 22 of the Code of Civil Procedure.

Article 25 1 (h) Review of the judgment procedure and courts competent to conduct such a review

The respondent may submit an application for review of the judgment delivered in the European small claims procedure to the relevant court of appeal under the conditions laid down in Article 18. The court sends a copy of the application for review to the other party, who has the opportunity to reply within one week of receiving it. The application for review is examined in closed session. If the court deems it necessary, it may examine the application in open session. The decision on the application for review cannot be appealed.

Article 25 1 (i) Accepted languages

For the purposes of Article 21(a)(1), the accepted language is Bulgarian.

Article 25 1 (j) Authorities competent for enforcement

The authorities competent for enforcement are court bailiffs (public and private).

An application for a writ of execution on the basis of a European small claims procedure must be lodged with the provincial court with jurisdiction at the place of the permanent address or registered office of the debtor, or at the place of enforcement.

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