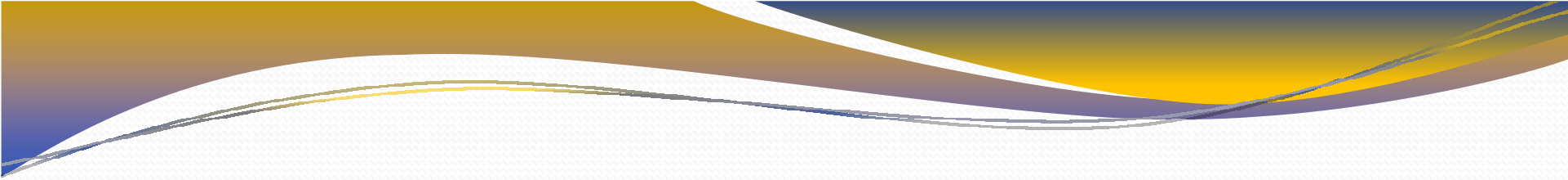
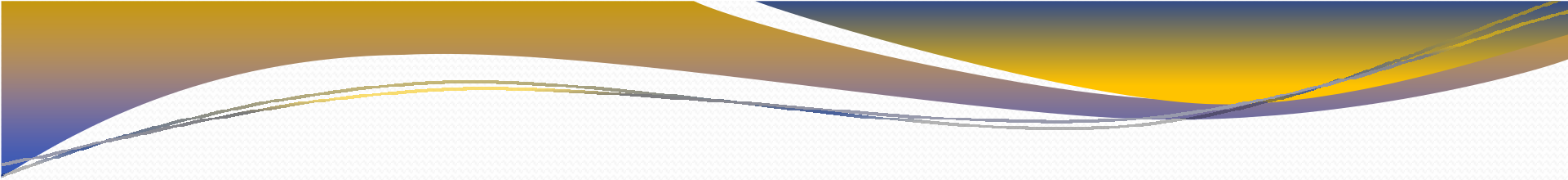
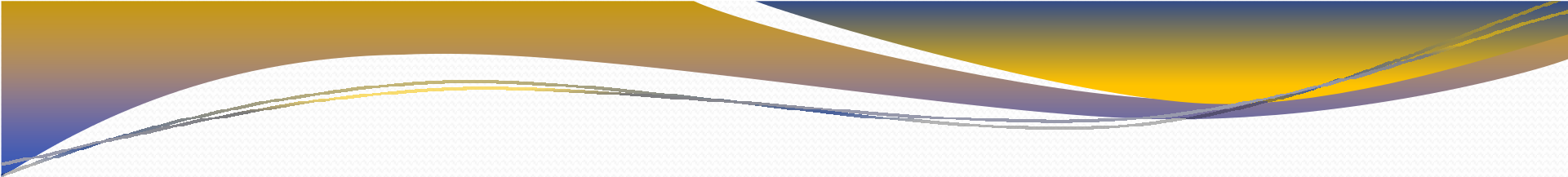


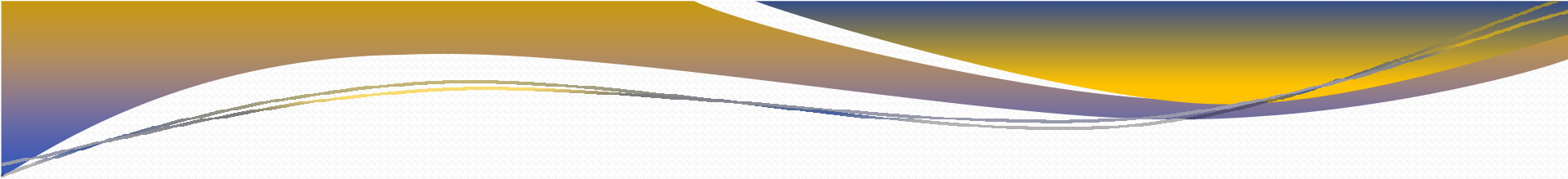
**SUMMER SCHOOL FOR JUNIOR MAGISUMMER SCHOOL FOR
JUNIOR MAGISTRATES FROM
SOUTH-EASTERN EUROPE**

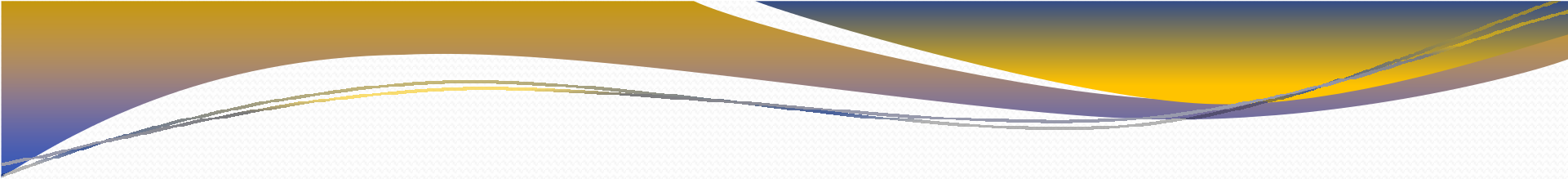


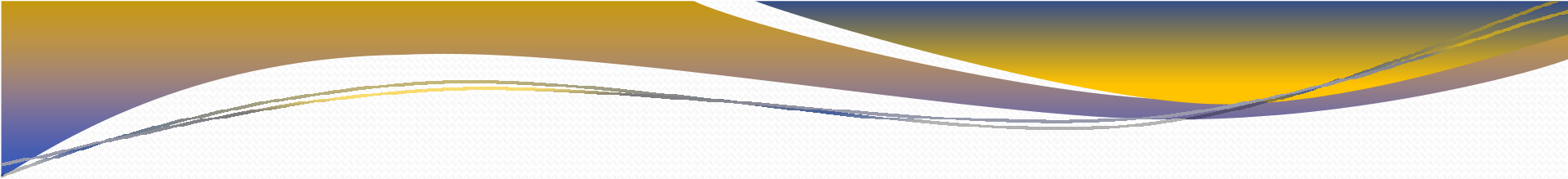
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- Art. 4.
 - (1) The Republic of Bulgaria shall be a State governed by the rule of law. It shall be governed by the Constitution and the laws of the country.
 - (2) The Republic of Bulgaria shall guarantee the life, dignity and rights of the individual and shall create conditions conducive to the free development of the individual and of civil society.
 - (3) (new, SG 18/05) Republic of Bulgaria shall participate in the building and development of the European Union.

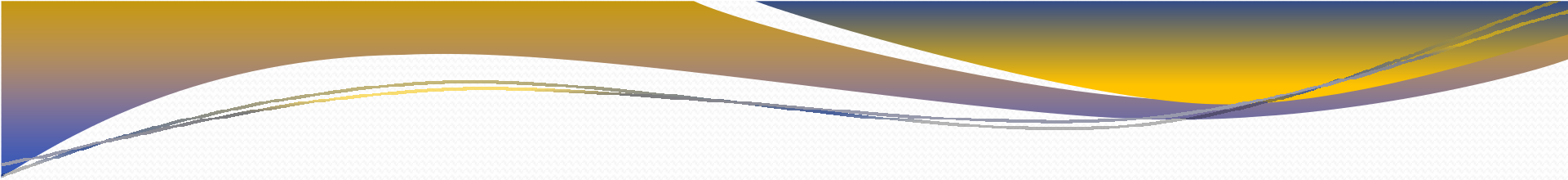
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- Art. 5.
 - (1) The Constitution shall be the supreme law, and no other law shall contravene it.
 - (2) The provisions of the Constitution shall apply directly.
 - (3) No one shall be convicted for action or inaction which at the time it was committed, did not constitute a crime.
 - (4) International treaties which have been ratified in accordance with the constitutional procedure, promulgated and having come into force with respect to the Republic of Bulgaria, shall be part of the legislation of the State. They shall have primacy over any conflicting provision of the domestic legislation.
 - (5) All legislative acts shall be promulgated and shall come into force three days after the date of their publication unless otherwise envisaged by the acts themselves.

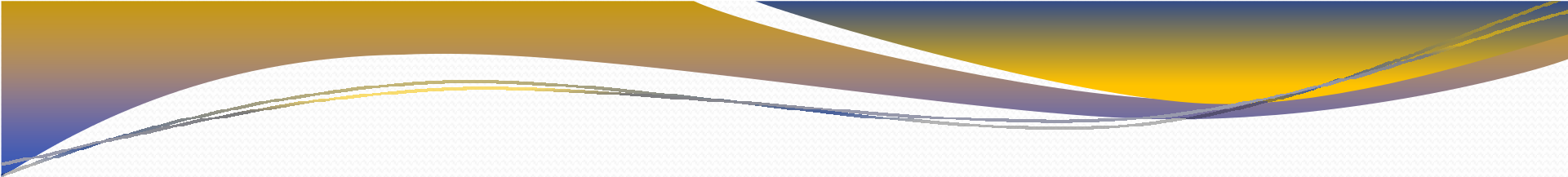
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- Art. 8.
 - The power of the State shall be divided between legislative, executive and judicial branches.
 - Art. 117.
 - (1) The judiciary shall protect the rights and legitimate interests of all citizens, legal entities and the State.
 - (2) The judiciary shall be independent. In the performance of their functions, all judges, court assessors, prosecutors and investigating magistrates shall be subservient only to the law.

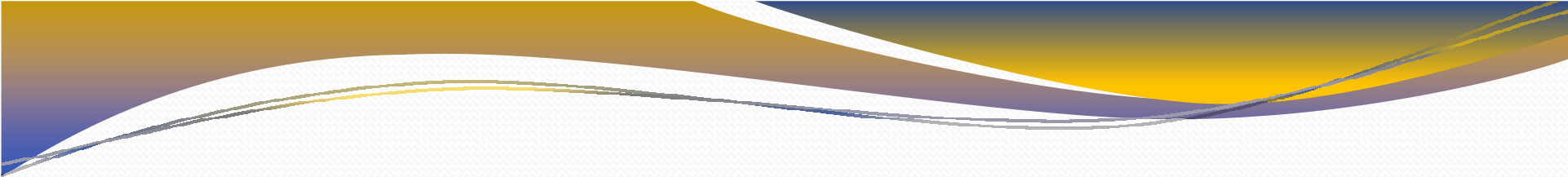
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- Art. 129.
 - (1) Judges, prosecutors and investigating magistrates shall be appointed, promoted, demoted, transferred and removed from office by the Supreme Judicial Council.
 - (2) The Chairman of the Supreme Court of Cassation, the Chairman of the Supreme Administrative Court and the Prosecutor General shall be appointed and removed by the President of the Republic upon a proposal from the Supreme Judicial Council for a period of seven years, and shall not be eligible for a second term in office. The President shall not deny an appointment or removal upon a repeated proposal.
 - (3) (amend., SG 85/03) Having completed a five year term of office as a judge, prosecutor or investigating magistrate, and upon attestation, followed by a decision of the Supreme Judicial Council, the judges, prosecutors and investigating magistrates shall become irremovable.

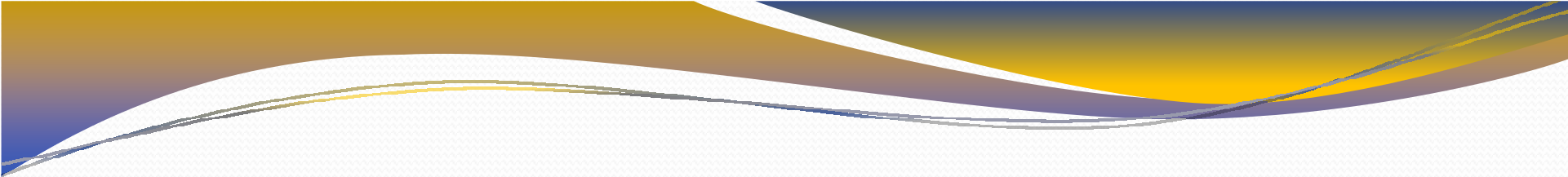
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- They, including the persons referred to in para 2, shall be removed from office only upon:
 - 1. completion of 65 years of age;
 - 2. resignation;
 - 3. entry into force of a final sentence imposing imprisonment for an intentional criminal offence;
 - 4. permanent de facto inability to perform their duties for more than a year;
 - 5. serious infringement or systematic neglect of their official duties, as well as actions undermining the prestige of the Judiciary.
 - (6) (new, SG 85/03, in force from January 1, 2004, prev. para 5 SG 27/06)) The heads of the judicial bodies, except for those referred to in para 2, shall be appointed for a period of 5 years and are eligible for a second mandate

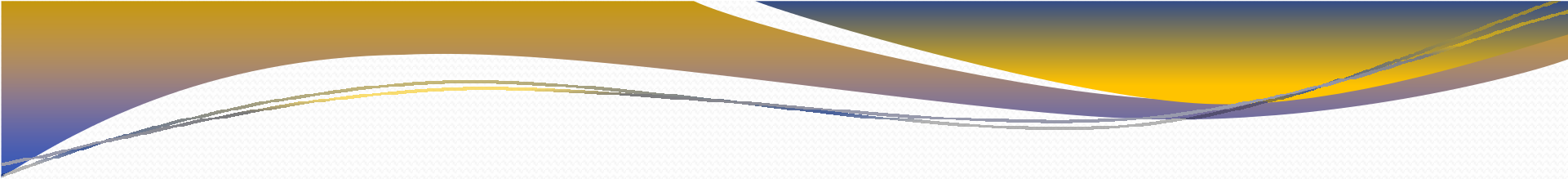
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- **Article 61** (1) The courts in the Republic of Bulgaria shall be regional, district, administrative, military, appellate ones, a Supreme Court of Cassation and a Supreme Administrative Court. (2) The courts shall have competent jurisdiction in civil, criminal and administrative cases. (3) A case examined by a court may not be examined by another body.

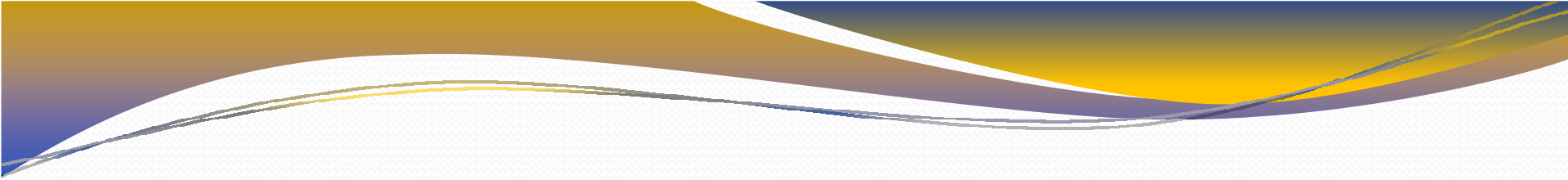
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- **Article 63** (1) The regional, district, administrative and military courts shall examine at first instance the cases specified by law.
 - (2) The district courts shall examine at second instance the appealed acts in cases of the regional courts, as well as other cases assigned to them by law.
 - (3) The administrative courts shall act in cassation when examining the administrative cases specified by law.
 - (4) The appellate courts shall examine at second instance the appealed acts in cases of the district courts, as well as other cases assigned to them by law.

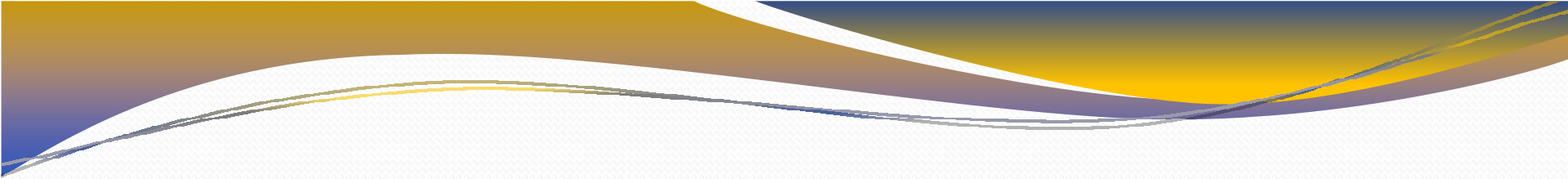
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- **Article 64** (1) Judicial acts shall be published on the website of the respective court once every three months, subject to the Personal Data Protection Act and to the Classified Information Protection Act. (2) Case acts affecting the civil or health status of individuals shall be published without their reasoning.
 - **Article 76** The regional court shall be the main court of first instance. It shall be a competent jurisdiction in all cases, except those in which another court has jurisdiction by virtue of the law.

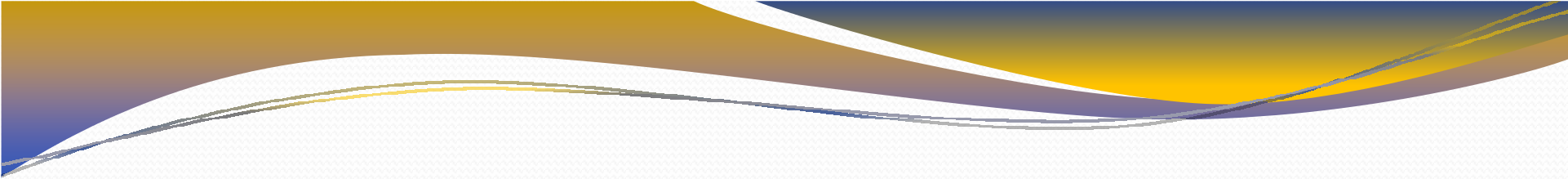
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- **Article 77** (1) A regional court shall be composed of judges and headed by a chairperson. (2) Divisions may be set up at the regional court. (3) A criminal record bureau shall be set up at all regional courts. (4) The functions, the business arrangements of criminal record bureaux and the control of their business shall be set out in an ordinance of the Minister of Justice.
 - **Article 78** A regional court shall examine cases in a panel composed of one judge, unless otherwise provided for by law.
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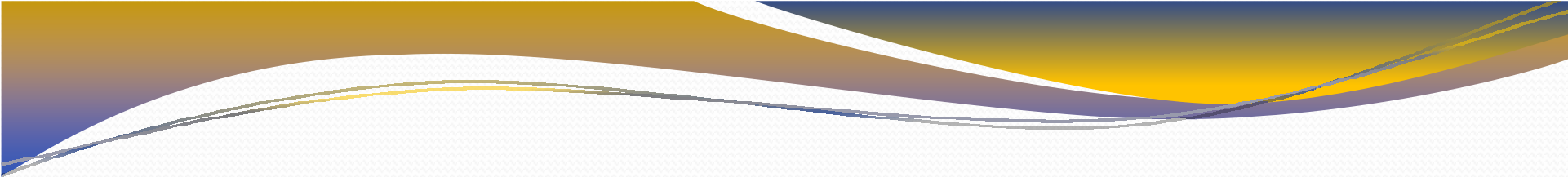
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- District court
 - **Article 82** (1) The district court shall examine at first instance: 1. Criminal cases in a panel composed of one judge and two court assessors, unless otherwise provided for by law, 2. Civil cases in a panel composed of one judge. (2) A junior judge may sit on the panel of a first-instance court in a criminal case, but may not be a single judge or the rapporteur therein.
 - **Article 83** (1) The district court acting at second instance shall examine cases in a panel of three judges, unless otherwise provided for by law. (2) In cases under Paragraph 1 only one of the district court panel members may be a junior judge. (3) The panel shall be presided over by the most senior judge in position or rank.

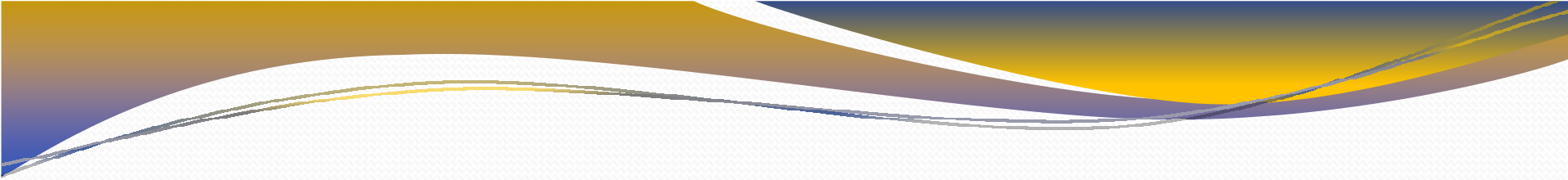
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- **Article 89** (1) The administrative court shall have jurisdiction at first instance in all administrative cases except those in which the Supreme Administrative Court shall have jurisdiction by law. (2) The seats and judicial areas of the administrative courts shall coincide with those of the district courts.
 - **Article 90** (1) The administrative court shall hear administrative cases in a panel composed of one judge, unless otherwise provided for by law. (2) In proceedings before the administrative court a prosecutor with the administrative department of the respective district prosecution office shall take part, in cases provided for by law.

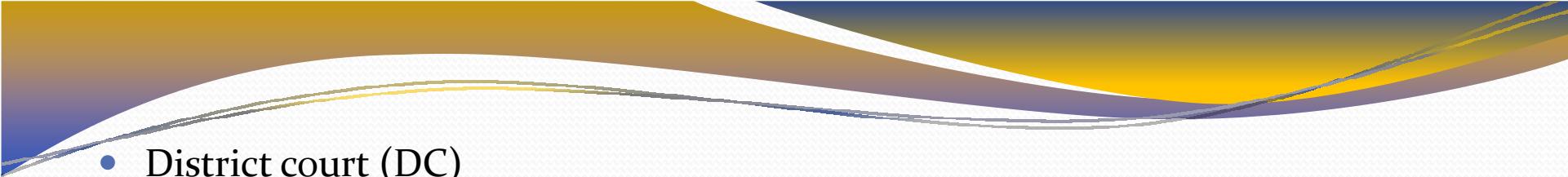
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- **Article 101** (1) The appellate court shall examine cases instituted following appeals and protests against the first-instance acts of district courts in its judicial area.
(2) The appellate military court shall be one and it shall examine cases instituted following appeals and protests against acts of the military courts from the whole country.

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- (6) The Supreme Court of Cassation shall act in cassation in respect to judicial acts specified by law and shall also examine other cases specified by law. (7) The Supreme Administrative Court shall examine at first instance the acts specified by law and act in cassation in respect to the appealed acts in cases of the administrative courts and to acts in cases of Supreme Administrative Court three-member panels.

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- **Article 132** (1) Courts shall examine cases in public hearings. (2) The publicity of trial may only be limited by law. By all means, a sentence shall be publicly delivered. (3) Judges shall be held to deliver their acts in accordance with the procedure and within the term specified by law.
 - **Article 133** (1) Hearings shall take place in the court building at the seat of the court. (2) Under exceptional circumstances, subject to consent of the chairperson of the court to this effect, a court panel may decide to conduct a hearing in another building.
 - **Article 134** (1) Judges and prosecutors shall attend hearing in robes. (2) Military judges, military prosecutors and military investigating magistrates shall work in military uniform. (3) Court assessors shall attend hearing in clothing as stipulated in the Ordinance under Article 75.

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- Regional – 113
 - District – 28
 - Administrative – 28
 - Appellate – 5
 - Military – 2
 - Military Appellate Court – 1
 - Supreme Court of Cassation – 1
 - Supreme Administrative Court – 1

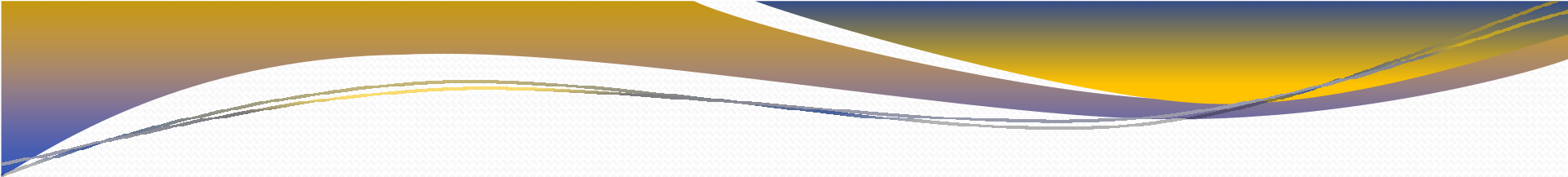
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- Regional court (RC) – The main court of first instance is the regional court. It examines civil, criminal and administrative/penal cases. Amongst these are family and labour law cases, claims for maintenance and adoption, actions on commercial disputes and civil cases where the cost of the action does not exceed 50 000 BGN (< €25 000) as well as partitions of corporeal immovable property.

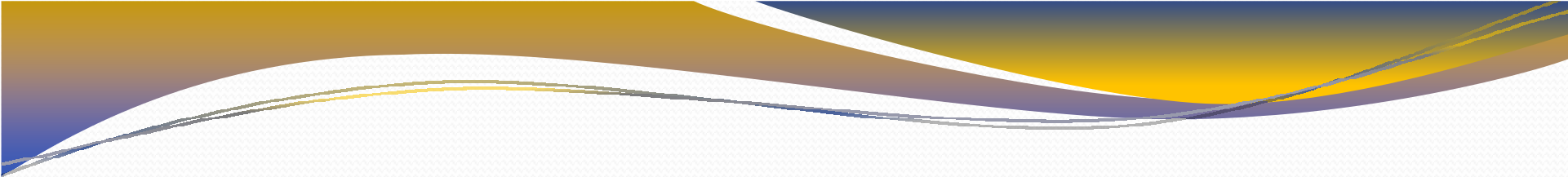
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- District court (DC)
 - When acting as a court of first instance the district court examines:
 - Civil cases – actions to establish or disavow affiliations, to terminate adoption, any actions for interdiction, as well as actions on civil cases where the cost of the action exceeds 50 000 BGN (> €25 000).
 - Criminal cases – cases on crimes against the republic, murders, aggravated robberies, possession and distribution of drugs, kidnapping and unlawful deprivation of liberty, crimes against the customs regime, crimes against the financial, tax and insurance systems, malfeasances, bribery, crimes against transport which have resulted in death, etc.
 - Commercial and company cases – non-profit-making legal entities are registered with the district court, which also examines complaints against refusals by the Recording Agency under the Commercial Registry Act. The district court also examines commercial disputes where the cost of the action exceeds 25 000 BGN, bankruptcy proceedings, as well as proceedings on complaints against enforcement agents' actions.
 - When acting as a intermediate appellate instance DC examines civil and criminal cases, as laid down in the law.

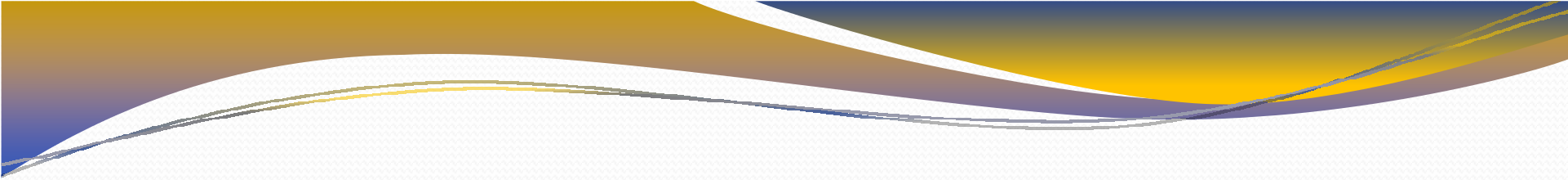


- Administrative courts

- The administrative courts have jurisdiction over all cases on motions for:
- issuance, modification, revocation or declaration of nullity of administrative acts;
- declaration of nullity or voidance of settlements under the Administrative Procedure Code;
- remedies against unwarranted actions and omissions by the administration;
- protection against wrongful coercive enforcement;
- compensation for detriment resulting from legally non-conforming acts, actions and omissions by administrative authorities and officials;
- compensation for detriment resulting from coercive enforcement;
- Anyone can bring a legal action for ascertainment of the existence or non-existence of an administrative right or legal relation, where he or she has standing and no other remedial procedure is available.
- Any administrative acts, whereby the national foreign, defence and security policy are immediately implemented, shall not be subject to judicial appeal, save as otherwise provided for in a law.

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- The Bulgarian property register is owned and managed by the Registry Agency, within the framework of what is called the 'personal entry system'. Information is based on the personal files of the transacting parties, namely individuals and legal persons. Only **transactions and legal documents** are entered in the register.
 - Since the development and roll-out of the **Integrated Information System for Cadastre and Property Registration (IKAR)**, all entries are publicly available on the website of the Land Registry Agency.

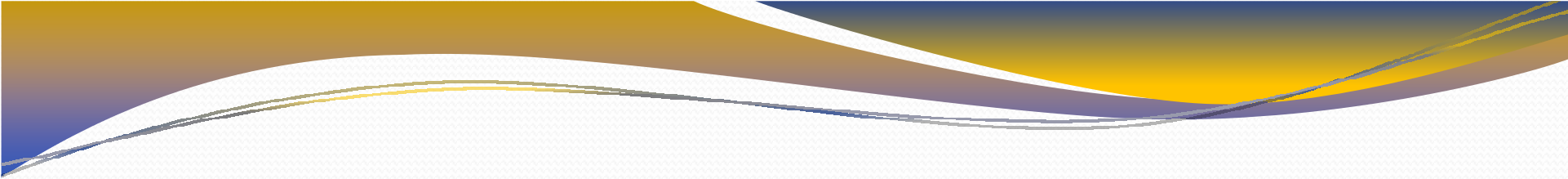
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- Information about transactions entered
 - Access to real estate data and property rights data
 - The sequenced order of these rights
 - It also offers the following types of public service:
 - Verifications (references)
 - Certificates
 - Duplicates of legislation
 - The above-mentioned services give you information about:
 - Date of the entry
 - Disclosure of the act
 - The parties concerned
 - Real estate property descriptions

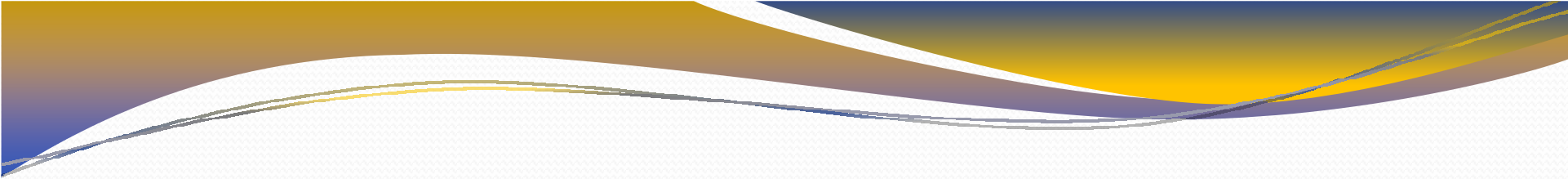
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- Arbitration Court at the Bulgarian Chamber of Commerce and Industry (AC at the BCCI)
 - The AC at the BCCI resolves civil property disputes as well as disputes on filling gaps in contracts or adapting contracts to new circumstances, regardless of whether one or both parties reside or have their domiciles in the Republic of Bulgaria or abroad.
 - Constitutional court of the Republic of Bulgaria

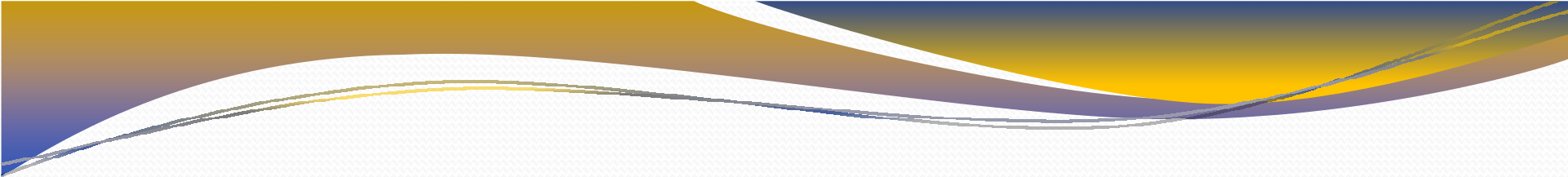
Court hierarchy

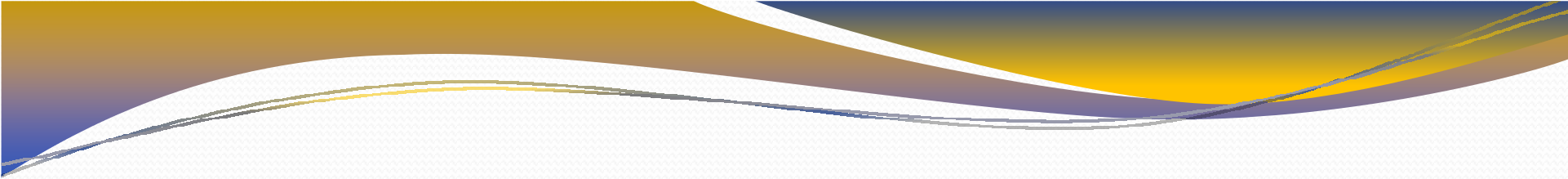
APPEAL PROCESS

First instance	Regional court	District court (Sofia City Court)	Administrative body	Executive body
Second Instance intermediate appellate review	District court –(Sofia City court)	Appellate Court	Regional Court	District Court (Sofia City Court)
Third instance – cassation appellate review	Supreme Court of Cassation	Supreme Court of Cassation	District Court (Sofia court)	Supreme City Administrative Court

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- Judges
 - Judges in Bulgaria are appointed, promoted and lowered in rank, transferred and relieved from office by a decision of the Supreme Judicial Council.
 - Organisation
 - The following positions exist for judges:
 - Judge at the Supreme Court of Cassation and judge at the Supreme Administrative Court – with at least 12 years of legal service;
 - Judge at the Appellate Court – with at least ten years of legal service;
 - Judge at a district court, judge at an administrative court – with at least eight years of service;
 - Judge at a regional court – with at least three years of service;
 - Junior judge – no previous service is required.
 - Judges acquire tenure by a decision of the Supreme Judicial Council upon completion of a 5-year service period and after a positive performance appraisal.

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- Recording judges
 - There are recording judges at the regional courts and these are appointed by the Minister of Justice. In regional courts with no recording judge or where the recording judge is prevented from discharging his functions, these are taken up by a regional judge, of which the Minister of Justice is notified.
 - The recording judge orders or refuses recordings, markings or deletions in the real estate register and rules on the issuance of abstracts and certificates; takes notarial and other action provided for by the law. A recording judge may only take action in his area

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- Prosecutors are appointed, promoted and lowered in grade, transferred and relieved from office by a decision of the Supreme Judicial Council. The positions within the Prosecutor's Office are as follows:
 - • Prosecutor at the Supreme Prosecutor's Office of Cassation and prosecutor at the Supreme Administrative Prosecutor's Office – with at least 12 years of legal service;
 - • Prosecutor at the Prosecutor's Office of Appeals – with at least 10 years of legal service;
 - • Prosecutor at the District Prosecutor's Office – with at least 8 years of legal service;
 - • Prosecutor at the Regional Prosecutor's Office – with at least 3 years of legal service;
 - • Junior prosecutor – no legal service is required.

- 
- Investigating magistrates
 - Under the Judiciary System Act investigating magistrates in the Republic of Bulgaria have the status of magistrates (judges and prosecutors).
 - The investigative authorities are the National Investigation Service and the district investigation departments at the district Prosecutor's Offices.
 - The National Investigation Service is managed directly by the Prosecutor-General or by the Director, who also acts as a Deputy Prosecutor-General in the area of investigation. The National Investigation Service's director is in charge of the administrative and organisational management of investigating judges and officials and provides methodological guidance to the investigating magistrates from the district investigation departments at the district

Thank you for or the attention

