

## Amendments to the Code of Civil Procedure

The Bulgarian Parliament recently adopted amendments to the Code of Civil Procedure. The amendments aim to enhance the protection of consumers in civil proceedings.

The amendments introduce an obligation for the courts in civil procedures to review and identify ex officio unfair clauses in consumer contracts. The following changes were introduced with respect to fast track cases (the so-called payment order procedure):

- Claims against consumers must be filed together with the respective consumer contract. This is not the case with ordinary fast track proceedings where the claim does not have to be supported by documents.
- Generally, requests for payment orders against consumers must be filed with the court that has jurisdiction for the area where a consumer has his/her current address. Only if a consumer does not have a current address can the claim be filed with the court that has jurisdiction for the area where the consumer has his/her permanent address.
- Courts are required to review the consumer contracts and will reject claims that are based on unfair clauses.
- Where the claim is honoured, debtors will have one month in which to meet their obligations (as opposed to two weeks prior to the amendment).

- The time limit for objecting against issued payment orders has also been extended from two weeks to one month.
- Additional provisions were introduced that are favorable to consumers in relation to the suspension of enforcement procedures in certain cases.

### **New obligations imposed on electronic platforms for short-term accommodation**

Amendments to the Bulgarian Tourism Act, published in December 2019, imposed new obligations in relation to short-term leases (accommodation) via electronic platforms. The online operators (connecting tourists and property owners) will be required to ensure that the properties available on their platforms are categorized or registered. In case of non-compliance with this obligation, platform operators can be fined up to EUR 5,000 and the platform can be shut down temporarily by court order.

### **For more information**

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