



**COUNCIL OF  
THE EUROPEAN UNION**

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**COVER NOTE**

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from:	Boyko Kotzev, Ambassador, Permanent Representation of the Republic of Bulgaria to the European Union
dated:	5 July 2010
to:	Mr Ivan BIZJAK, Director-General, Directorate General H, General Secretariat of the Council of the European Union

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Subject:	Notification of the Republic of Bulgaria to the Framework Decision 2005/214/JHA on the application of the principle on mutual recognition to financial penalties
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Dear Mr Bizjak,

With regard to the obligation for notifying the General Secretariat of the Council of the European Union and the European Commission under art.3, art.7, paragraph 5, art.19, paragraph 2 and art.22, paragraph 2 of the Framework Decision 2006/783/JHA of the Council from 6 October 2006 on the application of the principle on mutual recognition to confiscation orders as well as under art.2, art.16, paragraph 1 and art.20, paragraph 5 of the Framework Decision 2005/214/JHA of the Council from 24 February 2005 on the application of the principle on mutual recognition to financial penalties I am sending you enclosed the declarations and notifications of the Republic of Bulgaria concerning the implementation of the above-mentioned Framework Decisions, the text of the implementing law in Bulgarian and in English language together with the table of compliance.

The notifications are also sent to the following e-mail address : secretariat.criminal-law@consilium.europa.eu.

(Complimentary close)

(s.) Boyko Kotzev

**DECLARATIONS AND NOTIFICATIONS BY THE REPUBLIC OF BULGARIA  
TO THE GENERAL SECRETARIAT OF THE COUNCIL  
IN CONNECTION WITH THE APPLICATION OF  
COUNCIL FRAMEWORK DECISION 2005/214/JHA OF 24 FEBRUARY 2005  
ON THE APPLICATION OF THE PRINCIPLE OF  
MUTUAL RECOGNITION OF FINANCIAL PENALTIES**

The Republic of Bulgaria hereby notifies the General Secretariat of the Council of the following declarations and notifications pursuant to Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition of financial penalties and the Law on the recognition, execution and transmission of decisions on confiscation or seizure and decisions on the enforcement of financial penalties adopted by the National Assembly of the Republic of Bulgaria on 11 February 2010 (published in the State Journal of the Republic of Bulgaria No 15 of 23 February 2010), which transposes the abovementioned Framework Decision into the law of the Republic of Bulgaria.

**1) Notification pursuant to Article 2 of Framework Decision 2005/214/JHA (determination of the competent authorities):**

**(a) When the Republic of Bulgaria is the executing State:**

The competent authorities with regard to the recognition of decisions on the enforcement of financial penalties shall be the provincial courts and Sofia City Court. With regard to compulsory enforcement, the competent authority shall be the National Revenue Agency.

The certificate, together with the decision on the enforcement of financial penalties, should be sent to the provincial court at the person's place of domicile or habitual residence – in the case of legal persons, it should be sent to the provincial court at the place of the seat, administrative address or address used for correspondence on the territory of the Republic of Bulgaria. In cases where the person's domicile or habitual residence, or, in the case of legal persons, the seat, administrative address or address used for correspondence on the territory of the Republic of Bulgaria is not indicated on the certificate, the decision on the enforcement of financial penalties shall be recognised by the provincial court at the address of the property indicated on the certificate or at the place of the source of the person concerned's income. If two or more decisions on the enforcement of financial penalties issued in connection with one and the same person or property are sent to two different courts for recognition at the same time, the court competent to pronounce on all decisions shall be the court which first initiated proceedings. If the person's place of domicile or habitual residence – or, in the case of legal persons, the seat, administrative address or address used for correspondence on the territory of the Republic of Bulgaria – cannot be established, the competent court for examining the decision shall be Sofia City Court.

**List of addresses of provincial courts in the Republic of Bulgaria**

**NATIONAL REVENUE AGENCY**  
**ADDRESS: DONDUKOV BOULEVARD 52, SOFIA, BULGARIA,**  
**INFORMATION CENTRE – 0700 18 700, e-mail address: [infocenter@nra.bg](mailto:infocenter@nra.bg)**

- (b) **The central authority in the Republic of Bulgaria** – in cases where direct contact between the competent authorities is not possible, the authority responsible for the administrative transmission and receipt of decisions on the enforcement of financial penalties in the Republic of Bulgaria, shall be the Ministry of Justice.

**MINISTRY OF JUSTICE**  
**Address: 1040 Sofia, "Slavyanska" Street 1**  
**Fax: + 359 2 980 92 22, Tel.: + 359 2 9237 545, + 359 2 9237 466**

- 2) **Declaration pursuant to Article 16(1) of Framework Decision 2005/214/JHA**  
**(languages):**

The Republic of Bulgaria declares that the certificate must be accompanied by a translation into Bulgarian.