

# REGULATIONS FOR ENTERING

*Approved with decree No 1486 of the Council of Ministers of December 13, 1951*

*Prom. SG. 101/18 Dec 1951, amend. SG. 30/15 Apr 1955, amend. SG. 82/27 Sep 1996, amend. SG. 86/30 Sep 1997, amend. SG. 14/18 Feb 2000, amend. SG. 5/16 Jan 2001, amend. SG. 16/20 Feb 2001, amend. SG. 69/6 Aug 2004, amend. SG. 67/16 Aug 2005, amend. SG. 22/28 Feb 2008, amend. SG. 63/1 Aug 2014, amend. SG. 92/7 Nov 2014*

## I. GENERAL PROVISIONS

Art. 1. The entering shall consist in giving publicity to the acts, subject to entering in the way, provided in this regulation.

Art. 2. (amend., - SG 67/05; amend. - SG 92/14, in force from 07.11.2014) Entering, noting and deletion shall be admitted only for the cases, provided explicitly in the laws.

Art. 3. Subject to processing shall only be acts, implemented in notarial way or with a signature certified by a notary.

This shall not refer to the entering of acts, issued by the due state bodies.

## II. ENTERING OF ACTS ABOUT IMMOVABLE PROPERTIES

Art. 4. Entered shall be:

a) (suppl. SG 5/01, in force from January 1. 2001) all the acts, with which are transferred the right of ownership (sale, gift, exchange, grant against fulfilment, alienation against obligation for taking care and feeding etc.) or with which is established, transferred, changed or terminated other real right (right to use, ownership of buildings etc.) in immovable properties, as well as acts, with which are recognised such rights (fact finding notarial acts, acts, which have the force of finding notarial acts, acts for state ownership, acts for municipal ownership etc., explicitly provided by a law);

b) (amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) the contracts, which transfer inheritance (art. 212 of LOC);

c) the acts for refusal of real rights over immovable properties (art. 100 of the Law for the ownership);

d) the contracts for partition of immovable properties as well as the court – division records about such properties;

e) (amend. SG 69/04) the applications of creditors of the legator or of the devisees for separation of the immovable properties of the legator (art. 67 of the Law for the inheritance);

f) (amend. SG 05/01, in force from January 1, 2001; suppl. - 63/14; amend. - SG 92/14, in force from 07.11.2014) the contracts for renting of immovable property, in this number farm land, for a term longer than one year (art. 237 of LOC);

g) the agreements about disputes on acts, subject to entering, and

h) the court decisions entered into force, which substitute the acts of item a), as well as the decisions, with which is established the existing of acts, subject to entering under the previous items;

i) (amend. SG 5/01, in force from January 1, 2001; amend. - SG 63/14) acts of rectification of an obvious error in already registered acts;

j) (new - SG 63/14) copies of the announced devices with subject immovable property and rights in immovable property; in case of a general testament the availability of a real estate within the judicial area concerned shall be attested by a statement with a notarised signature issued by the beneficiary of the

testament, indicating the real estates that to his knowledge are located within the judicial area; the statement shall be submitted together with the testament to the registry judge in whose region is located the estate.

k) (new - SG 63/14) all other acts about which it has been provided with a law, that they are subject to entering.

Art. 5. The following acts shall not be subject to entering under the previous Art.:

a) (amend. SG 82/96, SG 5/01, in force from January 1, 2001) the acquisition of immovable property by force of a law;

b) (revoked SG 5/01, in force from January 1, 2001);

c) (suppl. SG 5/01, in force from January 1, 2001; amend. - SG 63/14) the devices about immovable properties except these of art. 4, item j);

d) (revoked – SG 86/97);

e) (amend. SG 5/01, in force from January 1, 2001) contracts of art. 4. item f), if they are connected with state secret.

Art. 6. (1) The acts, subject to entering, must contain:

a) (amend. SG 86/97, SG 67/05; amend. - SG 22/08, in force from 01.03.2008; amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) the first, the father and the family name (name according to the national law), the residence (permanent address) and the unified civil number of the parties, in the cases of Art. 3 ARBULSTAT, PNF or a BULSTAT code, and when there is no such – the place and the date of birth; when one of the parties is a merchant or a legal person shall be indicated the firm (the name) and the organizational form; indicated shall be also the court of registration, the number of the firm file, the seat and the BULSTAT code and for those entered into the commercial register at the Registration Agency - UIC; for the local and foreign natural persons who have no court registration in the Republic of Bulgaria indicated shall be the firm, the seat and the BULSTAT code;

b) the date and the place of issuing the act;

c) (suppl. SG 86/97, SG 67/05; amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) the description of the property, to which the act refers, with pointing out the kind, the location (municipality, settlement, address, area), the number of the property, the surface area and/or the built area and borders;

d) the price of the property or the right, respectively the certified material interest.

(2) (amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) A description of the property shall not be required with regard to:

a) the copies of the announced wills, irrespective of whether the act mentions an immovable property or the benefitting person knows if and which immovable properties are located within the respective judicial area;

b) the acts concerning a totality, to which may belong an immovable property, contracts for transfer of inheritance, acts for transformation of companies, contracts for pledge or for transfer of a commercial undertaking, irrespective of whether the act mentions an immovable property or the benefitting person knows if and which immovable properties are located within the respective judicial area;

(3) (new – SG 69/04, amend., - SG 67/05) When the immovable property is located in a region with approved cadastral map, the descriptions shall be implemented according to the data of art. 60, items 1 – 7 of the Law of cadastre and property register. In these cases to the act shall be attached sketch – copy of the cadastral map.

(4) (new - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) Para 3 shall not apply to entries, notes and deletions under Art. 11, 17, 18, 19, 22, Art. 22a, Para 1 and 3, Art. 23, 24, 25, 26 and 31.

Art. 7. (amend. SG 86/97, amend. SG 69/04) The entering shall be implemented upon ruling of the judge for entering by the service for entering at the location of the immovable property by arranging the acts subject to entering in books, accessible for the citizens, which shall be formed:

- a) by the arranging of the notarial acts of item a) of art. 4 and
- b) (amend. SG 86/97; amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) by the arranging of all other acts of art. 4.

Art. 8. (amend. - SG 92/14, in force from 07.11.2014) (1) The entering of the notarial acts of Art. 4, item a) shall be implemented upon written application by the notary, who has accomplished them, and of all the other acts or copies thereof of art. 4 – upon a written application of the parties, of the notary and of everyone, who is interested in the entering. The entering of notary acts, implemented by the judge for entering and of copies of devices, announced by him, shall be implemented officially.

(2) (amend. and suppl. SG 86/97, amend. SG 5/01, in force from January 1, 2001; amend. - SG 63/14) The application for entering shall be filed in one or more identical copies and shall contain:

- a) the name/company name and address of the applicant, their legal representative or proxy, if available, as well as the unified civil number of the applicant; where the application for entering is filed by a notary, shall be specified the name of the notary, the territory of his competence, the number of his entry into the register of the notary chamber, as well as his phone number or electronic address;
- b) the type of the act, which entry is requested, and the date of its effecting, respectively the date of its issue;
- c) other circumstances such as the sequence of entry of the acts;
- d) listing the accompanying documents;
- e) signature of the applicant.

(3) (new - SG 63/14) The application for entering shall be accompanied by:

- a) the act that is subject to entering in a minimum number of copies as specified in Para 4;
- b) documents specified in a law;
- c) a power of attorney, where the application is filed by a proxy;
- d) a document for payment of a state fee for entering.

(4) (new - SG 63/14) At least four identical copies of notary acts shall be supplied for the entering under art. 4, item a). For the entering of all other acts of art. 4, items b) – k) shall be presented an original and two certified copies of it or three such copies if the original cannot be presented - respectively three notary certified devices with subject immovable property and rights in immovable property.

(5) (prev. text of Para 03 - SG 63/14) Entries of officially certified excerpts are also possible, provided that they contain the fundamental terms of the act being entered.

Art. 8a. (new - SG 63/14; revoked - SG 92/14, in force from 07.11.2014)

Art. 8b. (new - SG 63/14; revoked - SG 92/14, in force from 07.11.2014)

Art. 9. (amend. - SG 92/14, in force from 07.11.2014) (1) The entering shall be carried out at the order of the judge for entering immediately after entry of the act into the dedicated filing register, where on the act itself shall be indicated the filing number in the register, the date and the volume and page of the file book, where the entering has been recorded. In services for entering with an implemented programme product for keeping supporting files of properties, in the act subject to entering shall be recorded also the file number.

(2) The act shall be placed in the corresponding book and within 3 days the second original copy of the entered act shall be returned to the applicant.

(3) If the entering has been implemented upon an application by a notary, the third and the subsequent copies of the entered act shall be returned, registering on each of them the data of para 1.

(4) The entering of an act carried out by the judge for entering shall be effected immediately after carrying out the act itself. The judge for entering shall be prohibited, subject to liability, to order any other actions between the carrying out of the acts subject to entering by him and their entering itself.

Art. 10. (1) (amend. SG 86/97, amend. SG 69/04. 67/05; amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) At entering of marriage contracts, acts for partition, for agreement, for exchange of immovable properties, located in different districts, transfer of commercial undertaking and of acts for making a non-pecuniary contribution of such properties shall be presented at least two originals for each of the regions, submitting also the necessary costs.

(2) (amend. SG 69/04) After the due entering has been made, the copies, referring to other districts, shall be immediately sent for entering to the services for entering according to the location of the properties with message, that the due fees have been collected.

(3) (suppl. SG 5/01, in force from January 1, 2001, amend. SG 69/04; suppl. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) The acts referred to in Art. 6, Para 2 shall be entered at the order of the judge for entering in each district, where entry is requested.

### **III. ENTERING OF CLAIM APPLICATIONS AND OF THE DECISIONS, DECREED ABOUT THEM**

Art. 11. (amend. SG 30/55) Entered or noted must be:

a) the application claims, with which is required breaking (art. 87, para 3 of LOC), abolition (art. 32 of LOC), repealing (art. 227 of LOC and art. 37 of LI) or recognition of the voidness (art. 26 of LOC) of acts, subject to entering under art. 4;

b) the claim applications for decreeing of decision for concluding of ultimate contract (art. 19, para 3 of LOC), with which is transferred or established real right in an immovable property, and

c) (amend. SG 86/97; amend. - SG 63/14) the claim applications for decreeing of other decisions of art. 4, items h), j) and k).

Art. 12. (1) (amend. SG 30/55, amend. SG 69/04) (1) (amend., - SG 67/05) In order the entering and or the noting of the previous Art. to be implemented, shall be presented the application claim as submitted in the court, and for which the state fee for filing a case has been collected, as well as a copy of the application claim or a copy – excerpt of it. The application claim shall meet the requirements of Art. 6.

(2) (amend. SG 86/97, amend. SG 69/04, amend., SG 67/05; amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) The entering shall be implemented upon ruling by the judge for entering by entering in short the claims of the action notice into the corresponding personal file. The copy of the notice shall be attached to special office file and the original shall be returned to the court where the action has been brought. If the action notice refers to several acts, the registration into the file book shall be made next to the record regarding each of the acts that the notice relates to.

(3) (amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) If the act, referred to by the action notice, has not been entered, the entering of the application shall take place by the order, established in art. 9.

Art. 13. (amend. Izv. 30/55, amend., - SG 67/05) The deleting of the entered of the previous Art. shall take place by noting in the file book the court act, with which the deleting is ordered or the proceedings on the filed case are terminated.

Art. 14. (amend. Izv. 30/55, amend., - SG 67/05) The decisions, entered into force, ordered upon the application claims of art. 11, shall be noted in the way, pointed out in art. 12, according to a presented

copy of the decision. In this case the decision shall meet also the requirements of Art. 6.

#### **IV. ENTERING OF MORTGAGES, ENTERING OF PLEDGES UNDER THE LAW OF THE SPECIAL PLEDGES (LSP) (title suppl. SG 86/97)**

Art. 15. (1) (amend. and suppl. SG 86/97, amend. SG 69/04) The entering of the contracted mortgage (art. 167 of LOC) shall be implemented immediately within the framework of the working day, upon ruling of the judge for entering by the service for entering in which district is located the mortgaged immovable property by arranging the act for mortgage in the mortgage book. The entering of contract mortgages, implemented by the judge for entering shall be made officially.

(2) (amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) The rules of art. 8 and 9 shall respectively be applied also for the entering of the mortgage acts.

Art. 16. (1) The mortgage under a law in favour of the alienator or the co-divisor of an immovable property (art. 168 of LOC) shall be entered upon an application of the creditor, submitted in two identical copies, accompanied with the act for alienation or subdivision, in original or as copy. The application must contain all the data, pointed out in art. 167, para 2 of LOC.

(2) (new – SG 67/05) In case of entering of an ex-lege mortgage in favour of a bank, the bank loan agreement – in original or in a copy shall be attached to the application.

(3) (prev., 3 – SG 67/05; amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) The entering shall take place with the arranging of one copy of the application in the book for the mortgages according to a law. In the case shall be applied respectively the provisions of art. 8 and 9.

Art. 17. (1) The entering of the acts of art. 117 of the Law for the obligations and contracts, namely:

a) the transfer of taking (art. 99 of LOC), secured with a mortgage;

b) pawn (art. 162 of LOC) of such taking;

c) accession (art. 101 of LOC) of mortgage taking;

d) imposing of distraint on it;

e) renewal of obligation (art. 107 of LOC), secured with a mortgage, and

f) (suppl., - SG 67/05) substitution (art. 102 of LOC) of such obligation, shall take place upon an application by each interested person, submitted in two equal copies, accompanied by the document in two copies, on which basis the entering is required.

(2) (amend. SG 86/97) The application must contain: the data, pointed out in art. 6, para 1, item a) of the applicant, the ground (the document) for the entering, the amount of the sum, as well as the volume and the page of the mortgage book, where the mortgage contract has been entered, or the application for establishing of a mortgage on the basis of law, for which entering shall be carried out.

(3) Entering shall be made according to the rules of art. 12, para 2.

(4) (new - SG 92/14, in force from 07.11.2014) After making the entry into the personal files the judge for entering shall make a note on the side of the mortgage act by indicating the type of the act referred to in Para 1 and the time of making the entry, also placing his signature.

Art. 18. (1) Renewal of the entering of a contracted mortgage or a mortgage under a law (art. 172 of LOC) shall take place upon an application by the creditor, submitted in two equal copies, accompanied by the mortgage contract, respectively by the application for establishing of a mortgage under a law, or by the record for the entering of the mortgage, if the entering has been implemented with a record.

(2) The application must contain also the data of the initial entering. If the owner of the mortgaged property has diseased his heirs must also be pointed out. It is possible to be required also the renewal of the entering for a sum less than the one, for which the initial entering has been made.

(3) (suppl. - SG 92/14, in force from 07.11.2014) The renewal shall be implemented by arranging in the respective mortgage book of one of the copies of the application by the order, established for the initial entering (art. 15 and 16). For the renewal the judge for entering shall make a note on the side of the mortgage act by indicating the filing number of the renewal application.

(4) Renewal shall not be implemented if 10 years have elapsed after the initial entering of the mortgage, respectively from the last renewal. In this case the mortgage can be entered again and it shall have order from the new entering.

Art. 19. (1) The deleting of the entering of a mortgage (art. 179 of LOC) shall take place on the basis of the written consent of the creditor, given in a form certified by a notary, or with a court act entered into force, with which is decreed the deleting. When creditor is a state body certification of the signature shall not be required.

(2) (amend. SG 86/97, amend. SG 69/04; amend. - SG 92/14, in force from 07.11.2014) The deleting of mortgages of immovable property, sold at public auction, shall be carried out at the request of the purchaser of the immovable property. With the application for deletion of the mortgage the purchaser shall enclose a decree according to him the immovable property that has entered into force and into the entry books and a certificate issued by the judge for entering that the purchaser certified that the selling has been approved with a decision entered into force and that the mortgage creditor has given his consent before the executing judge the mortgage to remain in force.

(3) (suppl. - SG 92/14, in force from 07.11.2014) The deleting can be required by anybody interested. It shall take place by noting at the side of the entered act, pointing out the document, on the basis of which this takes place and the time, when this is done. The noting shall be signed by the judge for entering. In case of insufficient free space in the mortgage act, at the order of the judge for entering an officer of the service for entering shall affix an allonge accompanied by the signature of the officer and the seal of the service on at least two places. In respect of the allonge the judge for entering shall make an explicit note following the certification referred to in Art. 35, Para 3.

Art. 20. (amend. SG 86/97; amend. - SG 63/14) When the consent for deleting of the entering is given by persons not legally capable by the due order, without the mortgage liability to have been already paid, it shall be necessary a permission by the district judge (art. 130 of the Family Code).

Art. 21. The partial deleting shall be implemented in the same way as the full deleting.

Art. 22. (suppl. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) When 10 years have passed after the date of the entering without renewal the deleting shall take place upon an application by the interested person without other evidence.

Art. 22a. (1) (new – SG 86/97, amend. SG 69/04, amend., - SG 76/05; amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) The entering of act relating to a pledge on commercial enterprise (art. 21, para 3 of LSP) shall be implemented upon ruling of the judge for entering in every district of requesting an entering by arranging in the book of art. 33, item e) of the certificate for entering of the pledge in the commercial register, respectively the certificates for following entering. Where the certificate for entering into the commercial register does not contain a description of the pledged property, the certificate shall be accompanied also by the registered pledge contract that has been entered into the commercial register.

(2) (new - SG 92/14, in force from 07.11.2014) The entry of the pledge into the commercial register shall be indicated in the personal file of the pledgor, and where the pledge mentions real rights in immovable properties as components of the commercial undertaking, the entry shall be indicated also into the supporting files for the properties.

(3) (amend. - SG 63/14; prev. text of Para 02, amend. - SG 92/14, in force from 07.11.2014) The rules of art. 8 and 9 shall be applied respectively also for the entering of a pledge on a commercial undertaking.

(4) (prev. text of Para 03 - SG 92/14, in force from 07.11.2014) At renewal of the entering of para 1 shall be applied respectively art. 18.

## V. ENTERING OF INTERDICTS AND OTHER SECURITIES

Art. 23. (amend. SG 86/97; suppl. - SG 92/14, in force from 07.11.2014) The entering of interdicts shall be implemented upon ruling of the judge for entering by the service for entering at the location of the immovable property as set out in Art. 9.

Art. 24. Interdict for security of a claim shall be entered by presenting the order for its imposition and a copy of it. The order must contain:

- a) (amend. SG 69/04, SG 67/05) a description as per Art. 6, Para 1, item "c" of the immovable property, which is put under interdict
- b) (amend. SG 86/97) the data, pointed out in art. 6, para 1, item a) of the creditor and the debtor;
- c) the amount of the sum, for the securing of which the interdict is imposed, or instruction, that the claim is for ownership of the very property, and
- d) (amend., - SG 67/05) the number of the case and the date of the order and by which court it has been issued.

Art. 25. (prev. text of para 1 – SG 16/01, amend., - SG 67/05) The entering of interdict under the order provided in the previous article shall also be implemented when this is required by a department or official to which the law has conceded this right. In this case the letter must show the department or the official and the date and the number of the decree, with which is ordered the interdict and also the data, marked in items a) – f) of the previous art. To the letter two certified copies of the decree shall be attached.

(2) (revoked – SG 16/01).

Art. 26. (amend. SG 86/97, amend., SG 67/05) The interdict over an immovable property, against which has been directed the entering, shall be entered upon a request by the judge for entering or the financial officer, who implements the public auction, with letters in two identical copies, containing apart from the data of items a) – f) of art. 24 also the number of the enforcement case and the date of the writ of execution and which court has issued it.

Art. 27. (amend. SG 86/97, amend. SG 69/04) A mortgage on immovable property before a court under art. 181, para 2 of LOC shall be entered by presenting the consent, certified by a notary, of the owner of the property with a copy of it. The consent must contain:

- a) (amend. SG 86/97) the data, pointed out in art. 6, para 1, item a) about the owner, who established the mortgage;
- b) (amend. SG 86/97, amend. SG 69/04) the service for entering, in which the entering will be implement;
- c) (amend. SG 69/04, SG 67/05) the description of the immovable properties, which are mortgaged, as per Art. 6, Para 1, item "c".
- d) the sum, for which the mortgage is given;
- e) (amend. SG 86/97) the data, pointed out in art. 6, para 1, item a) about the person who gives the security;
- f) signature of the applicant.

Art. 28. The guarantee for bail of an accused person in a punitive case shall also be entered by the order of the previous Art.. In this case the guarantee shall contain apart from the data of items a) – f) of the previous Art. also the data about the case it is presented for.

Art. 29. (1) (amend. SG 86/97) At entering of common interdict over the properties of one person it shall not be necessary in the letter to be described separately the properties.

(2) (amend. SG 69/04) If the properties are located in different districts, letters shall be presented for each one of them.

(3) General interdict can be imposed only when this is explicitly provided with a law.

Art. 30. (amend. SG 86/97, amend. SG 69/04; amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) The presented documents and letters for interdict shall be entered as set out in Art. 9.

Art. 31. (1) The entering of the interdicts shall be deleted upon a written order by the department or the official, who has imposed the interdict or to which the guarantee or the security has been conceded.

(2) When the guarantee or the security have not served, the deleting of the interdict shall take place upon an application by the interested person, to which is attached a certificate from the due department, that the entering can be deleted.

Art. 32. (amend. SG 30/55, amend. – SG 67/05; suppl. - SG 92/14, in force from 07.11.2014) The deleting shall be implemented by registering in the file book with instruction about the ground, on which it has happened and when it has been made. The judge for entering shall make a note on the side of the entered act of the deletion by indicating the filing number of the application for deletion.

#### **Va. REFUSAL OF THE JUDGE FOR ENTERING (new – SG 69/04)**

Art. 32a. (amend., - SG 67/05; amend. - SG 22/08, in force from 01.03.2008) (1) (amend. - SG 63/14) In case the act entered into the incoming register does not meet the requirements of the law or is not subject to entry, the judge for entering shall deliver a ruling for refusal. The act shall be recorder in the refusals register under Art. 33, Letter "m" indicating the refusal and the date of its delivery.

(2) (amend. - SG 63/14) The acts in respect of which a refusal has been delivered shall be put in order in the book of refusals under Art. 33, Letter "n". Every two hundred copies of the acts in order in respect of which a refusal was issued shall form one volume. Every volume shall begin with new numeration of the sheets. The numbering of the acts and volumes shall recommence annually.

(3) (amend. - SG 63/14; revoked - SG 92/14, in force from 07.11.2014)

(4) (amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) The refusal ruling shall be handed over to the interested person against a signature. The appeal against the refusal and the ruling of the regional court in force shall be entered into the refusals register under Art. 33, Letter “m” at the consecutive number, under which the refusal is entered, and shall be put in order into the book under Art. 33, Letter “n”.

(5) (revoked - SG 63/14)

Art. 32b. (new – SG 60/04, amend., - SG 67/2005; amend. - SG 22/08, in force from 01.03.2008) The rules of Art. 32a shall apply respectively to refusals for noting and refusals for deletion.

Art. 33c. (new - SG 22/08, in force from 01.03.2008) In the cases where the appeal against the refusal for entry, refusal for noting or the refusal for deletion was granted, the entry, noting or the deletion shall be deemed to be made from the moment of recording the act into the incoming register.



## VI. BOOKS. NOTARIAL AND OFFICE FILES (title amend. SG 69/04)

Art. 33. (amend. SG 30/55, amend. SG 86/97, amend. SG 69/04) The services for entering shall keep:

- a) a book, which is formed by the arranging of the notarial acts – under art. 4, item a);
- b) (amend. SG 86/97; amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) a book, which is formed by the arrangement of the other acts – under art. 4;
- c) a book, which is formed by the arrangement of the notarial acts for contractual mortgage;
- d) a book, which is formed by the arrangement of the applications for establishing a mortgage under law;
- e) (new – SG 86/97) a book, which is formed by the arrangement of the certificates for entering under the Law for the registered pledges;
- f) (prev. e) – SG 86/97, amend., - SG 67/05) a book, which is formed by the arrangement of acts of imposing interdicts;
- g) (prev. f) – SG 86/97) incoming register;
- h) (prev. g) – SG 86/97) filing book or filing system;
- i) (prev. h) – SG 86/97) alphabet index;
- j) (prev. i) – SG 86/97; revoked - SG 92/14, in force from 07.11.2014)
- k) (new - SG 63/14; revoked - SG 92/14, in force from 07.11.2014)
- l) (new - SG 63/14; revoked - SG 92/14, in force from 07.11.2014)
- m) (new – SG 69/04; amend. - SG 22/08, in force from 01.03.2008; prev. text of Letter “k” - SG 63/14) register of the refusals and the definitions of the regional court, decreed on them;
- n) (new - SG 22/08, in force from 01.03.2008; prev. text of Letter “T” - SG 63/14) a book, which shall be formed by arranging the acts in respect of which refusals for entry, noting and deletion have been delivered, the rulings for refusals, as well as the appeals and the rulings of the regional courts on them;
- o) (new - SG 92/14, in force from 07.11.2014) books formed from applications for deletion of mortgages and interdicts and for protocols of findings.

Art. 33a. (new – SG 69/04) Apart from the books of art. 33 the service for entering shall also keep:

- a) description book of the notarial files;
- b) book, formed by the notarial wills and acts for revoking of wills, implemented in the district;
- c) book for recording of the autograph and notarial wills;
- d) a description book for the autograph and the notarial wills;
- e) alphabetical index only for notarial files and wills;
- f) (amend. - SG 92/14, in force from 07.11.2014) a register of enquiries;
- g) (new - SG 92/14, in force from 07.11.2014) a register of the certificates;
- h) (new - SG 92/14, in force from 07.11.2014) a register of copies.

Art. 33b. (new - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) In services for entering with an implemented software product shall be kept also supporting files for the individual properties.

Art. 33c. (new - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) (1) A technical error means any discrepancy between the contents of the registered act and the information from it entered into the corresponding files.

(2) The technical errors shall be established at the request of the interested person or a notary, and also ex officio by an officer at the service for entering. Of the established technical error the respective officer shall issue an protocol of findings, which shall be signed by him and submitted to the head of the Registry

Agency or a person authorised by him.

(3) The rectification of a technical error shall be carried out pursuant to an order of the head of the Registry Agency or a person authorised by him.

Art. 33d. (new - SG 63/14; revoked - SG 92/14, in force from 07.11.2014)

Art. 33e. (new - SG 63/14; revoked - SG 92/14, in force from 07.11.2014)

Art. 33f. (new - SG 63/14; revoked - SG 92/14, in force from 07.11.2014)

Art. 33g. (new - SG 63/14; revoked - SG 92/14, in force from 07.11.2014)

Art. 33h. (new - SG 63/14; revoked - SG 92/14, in force from 07.11.2014)

Art. 34. (1) (amend. - SG 22/08, in force from 01.03.2008) In the incoming register shall be recorded consequently by the order of receiving all notarial and other acts, applications and letters, which entering, noting or deletion is required.

(2) (amend., SG – 67/05) According to the consecutive number of the incoming register shall be determined the order for implementing the entering, noting or deletion.

(3) (new - SG 92/14, in force from 07.11.2014) Following the entry of the act into the filing register, the number from the filing register shall be noted on the act, which entry, note or deletion is requested, and on the application shall be noted the date and the number from the filing register.

(3) (amend. SG 86/97; amend. - SG 63/14; prev. text of Para 03, amend. - SG 92/14, in force from 07.11.2014) The incoming register shall be ended every day by being printed on paper and signed by the judge for entering.

Art. 35. (1) (amend. SG 86/97, amend. SG 69/04, amend., -SG 67/05; amend. - SG 22/08, in force from 01.03.2008) The notarial acts and other papers, from which are formed the books of art. 33, items a) – f) shall be typed or hand written with black or blue ink without deleting and additions, except these, formed by the order of art. 579, para 3 of the Civil procedure code, crossing out the empty places on the forms and the figures, referring to the content of the transaction, shall be written also with words. The papers must be written on rectangular sheets of white paper format A4 (80 g/m or more). If there are no established forms for the papers, the empty fields of the sheet must be sufficient for binding the sheet.

(2) (amend. SG 69/04) Each 200 arranged copies of notarial acts, respectively copies of documents, and 300 copies of the other papers shall form one volume. Each volume shall start with new numbering of the sheets. The numbering of the documents and of the volumes shall start each year. Till binding or stitching the volumes shall be preserved in classifiers.

(3) (amend. SG 86/97, amend. SG 69/04; amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) In the end of the year the formed volumes shall be bound after being numbered, threaded and signed under the permanent supervision of an official of the service for entering. After this they shall be certified by the judge for entering.

(4) If at the end of the year there are left notarial acts or other papers less than 100, they shall again form separate volumes, but shall not be bound separately and shall be bound together with the last-but-one volume of the corresponding book for the same year.

Art. 36. (1) In the file book shall be entered consequently in brief under the name of each owner and on the page defined for him the implemented entering, notes and deletions, referring to him and the respective book, the volume and the page, where the act is arranged.

(2) (amend. SG 86/97) The persons shall be recorded with the data, pointed out in art. 6, para 1, item a). At recording the three names shall be started with the first name.

(3) (amend. – SG 67/05; revoked - SG 63/14; new - SG 92/14, in force from 07.11.2014) When the determined place in the file book of one owner is full, a new file shall be opened, and the volume and page of the new file shall be indicated in the end of the old file, which constitutes a continuation of the first one. In the new file shall be registered the volume and the page of the old one.

Art. 37. (amend. – SG 67/05) When the act is implemented by two or more persons, the registering in the file book shall be made under the name of each of them.

Art. 38. (1) (amend. SG 86/97) The alphabet index shall contain the names of all persons, about whom there is opened file in the filing book. The index shall be kept according to the first name; each person must be noted with the data, pointed out in art. 6, para 1, item a).

(2) (new – SG 69/04) In the alphabetical index of art. 33a, item e) shall be entered also the names of the testators in the notarial wills, the acts for revoking of wills and the submitted for preservation autograph wills, implemented by the notaries. In this case against the name of the person shall be entered also the name of the notary, with whom is the notarial file or the autograph will.

Art. 39. (1) (prev. text of Art. 39, amend. - SG 92/14, in force from 07.11.2014) In order a reference to be made in the books about the entering about an immovable property, first of all in the alphabet index shall be found the name of the person, who is pointed out as owner of this property, if he has a file, and according to the name of this person shall be found the number of the volume of the file book and the page of his file in this book. From the file book of the owner shall be learned what enterings there are for the properties about which reference is required and in which volumes and under what numbers they have been entered, as well as the number of the supplementary files of the properties and the contents therein.

(2) (new - SG 92/14, in force from 07.11.2014) References in the files for the properties shall have only supplementary character and shall be made only in order to find out the description of the property.

Art. 40. (1) (suppl. - SG 67/05; prev. text of Art. 40, amend. - SG 63/14) In the register for reference shall be entered the implemented verbal references.

(2) (new - SG 63/14) In the certificates register shall be entered the issued certificates.

(3) (new - SG 63/14) In the copies register shall be entered the issued copies.

Art. 41. (amend. - SG 63/14) (1) (amend. - SG 92/14, in force from 07.11.2014) The incoming register, the file book, the alphabet index, the register for references and the register for the refusals and the definitions, decreed on them by the regional court, shall be supplied duly numbered, threaded and certified by the Entries Agency.

(2) (amend. - SG 92/14, in force from 07.11.2014) The books and registers of art. 33, items g) – m) and art. 33a, items a) and d) - h) and Art. 33b can be kept on electronic carrier by an order, determined by the Minister of Justice. In this case the incoming register of art. 33, item g) shall obligatory be printed on paper and signed by the Entries Judge.

Art. 41a. (1) (new – SG 69/04, 67/05) For each application, with which is required entering of an act – subject of entry, shall be formed notarial file or a special chancery file.

(2) The other applications shall be attached to office files.

Art. 41b. (new – SG 69/04) (1) (amend. - SG 63/14) Each notarial file shall be recorded in the description book.

(2) (amend., - SG 67/05) In the description book, in the alphabetical index and on the cover of the file shall be registered its character and number, the parties, the date of formation, as well as the volume of the act as per the description of the Entries Service. The described book and the alphabetical index shall be maintained for the calendar year.

(3) (amend., - SG 67/05) In the files under Art. 41a, Para 1 shall be preserved only the application for implementing the entering, a copy of the signed act, the documents certifying the special requirements of the law and the accounting documents for paid fee for entering.

Art. 41c. (new – SG 69/04) The services for entering shall preserve the files for five years and the books of art. 33, items a) – e) – for hundred years.

Art. 41d. (new – SG 67/05) (1) The bringing documents out from the Entries Service shall be performed only on grounds of a decree of a court of prosecution, The documents shall be handed under a resolution of the Entries Judge against the signature of the pointed out in the decree official person.

(2) The books and the registers may not be brought out from the Entries Service, and an expertise may be executed only in the presence of an officer of the Entries Service.

## **VII. PUBLICITY OF THE BOOKS FOR ENTERING**

Art. 42. (amend. - SG 92/14, in force from 07.11.2014) Anybody may require references about the entries, the noting and deleting, excerpts of the contents of all books, non-certified copies of all entered and noted acts or deletion acts, as well as a certificate for the availability or lack of an entering.

(2) The references are verbal or written.

(3) (new - SG 63/14) The information system shall enable the provision of references for entries in relation to a person from the entire country. Such reference shall cover the enterings, notings and deletions made in all services for entering, where the person has participated as a party to an act subject to entry as from the moment of their entering into the information system.

Art. 43. (1) The verbal references shall be given upon verbal or written application of each person, who requires and in his presence, if he wishes so.

(2) (new – SG 86/97, amend. SG 14/00, amend. - SG 69/04) Reference of a notary can be given also by telephone, fax or other technical means by an order, determined by the Minister of Justice.

(3) (new – SG 69/04) References can also be made by distant access by an order, determined by the Minister of Justice.

Art. 44. (1) (suppl. SG 69/04, amend., - SG 67/05; prev. text of Art. 44 - SG 63/14) The written references shall consist in issuing certificates about the entering, the notes or the deleting, as well as in issuing of copies or excerpts of the existing entering, notes or deleting in the books or from the file of the persons.

(2) (new - SG 63/14; revoked - SG 92/14, in force from 07.11.2014)

Art. 45. The certificates shall refer to:

- a) (amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) certain persons;
- b) (amend., - SG 67/05; amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) certain immovable properties;
- c) a certain period of time.

Art. 46. (1) (amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) The certificate for a person shall show only the entering, the notes and the deleting made to the name of one or several specific

person.

(2) (amend. SG 86/97, amend., - SG 67/05) The application, with which is required this certificate under Para 1, shall contain the data under Art. 6, Para 1, item "a".

Art. 46a. (new - SG 63/14, in force from 15.06.2015) An application for the issue of a certificate under Art. 45 may be filed with any of the services for entering. The certificate shall be issued at the order of a judge for entering of the judicial region at the location of the property, where the certification shall take place. An electronic image shall be taken from the issued certificate. The applicant may receive at a service for entering chosen by him a certified copy of the certificate, reproduced on paper.

Art. 47. (1) (suppl. SG 69/04, amend., - SG 67/05; amend. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) In the certificate, which is issued for certain property, shall be marked the entries, notes and deleting of encumbrances and rights, or certified, that there are no such.

(2) (amend. - SG 92/14, in force from 07.11.2014) The application for issue of the certificate under Para 1 must show:

a) the data, pointed out in art. 46, para 2, of the applicant and the person about whom is the reference, and about his direct predecessors in title;

b) the immovable property with showing the data under Art. 6, Para 1m item "c".

(3) (new - SG 63/14; revoked - SG 92/14, in force from 07.11.2014)

Art. 48. ( amend., SG 67/05) The certificate about certain time shall contain only the entering, notes and deletions, which have been made during certain period of time, pointed out by the person upon who's application the certificate is issued.

Art. 49. (amend. SG 86/97, amend. SG 69/04) When non compliance is found between the data in the books for entering and the issued certificates and copies, attention shall be paid to what has been entered in the books, but the Registry Agency shall be responsible for the damages, ensuing from the admitted incorrectness in these certificates and copies.

Art. 50. (1) (amend. SG 86/97, amend. SG 69/04, amend. – SG 67/05) After making the verbal reference the official, to whom it has been assigned, shall note the latter in the register of the references and sign. Each reference with distant access shall be automatically registered in the electronic register, kept for this purpose.

(2) (new – SG 69/04, amend., SG 67/05; amend. - SG 63/14) The written references shall be made and inscribed respectively in the register of the certificates and the register of the copies by the empowered for this officer, and shall be certified by certified by the officer and signed by the Entries Judge.

Art. 51. (new – SG 67/05) (1) (amend. - SG 92/14, in force from 07.11.2014) Certified copies and extracts of registered acts, notes or deletions in the registry books or in the personal files shall be issued:

1. to the parties, to their direct or indirect successors or predecessors in title, to their legal representatives or proxies. Where the proxy is not a person under Art. 32 of the CCP, he shall be authorised explicitly by a notary certified power of attorney;

2. to notaries and officers thereof;

3. to attorneys at law, junior attorneys and attorney assistants registered with the relevant bar association;

4. to private bailiffs and officers thereof;

5. to the judicial, prosecution and investigation authorities;

6. to other authorities and persons as provided in the law.

(2) (suppl. - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) The copy referred to in Para 1 shall be done, compared with the original and inscribed in the register under Art. 33a, letter "h" by the responsible officer, it shall be certified by the officer and signed by the entries judge, while in the register of the copies shall be noted who was issued the copy and his capacity by noting his name and UCN.

(3) (new - SG 63/14; amend. - SG 92/14, in force from 07.11.2014) Non-certified copies and extracts of registered acts, notes or deletions in the registry books or personal files shall be issued to any person, the issue of the non-certified copy being noted in the register of enquiries referred to in Art. 33a, Letter "f". In the register of enquiries shall be noted the name and the UCN of the person that was issued the non-certified copy.

### **Transitional and concluding provisions**

§ 1. The provisions of art. 4 and 11 shall not apply for acts, accomplished before the date of entering of this regulation into force, if these acts according to the previous provisions have been subject to entering.

§ 2. The present regulation is issued pursuant to art. 116 of the Law for the ownership and it shall enter into force on the day when the Law for the ownership enters into force.

It shall repeal the Regulation for the entering under the Law for the privileges and mortgages.

### **Concluding provisions**

**(SG – 67/05)**

§ 33. All the provisions of the Regulations of Entering shall be marked as per the requirements of Art. 26 and 27 of the Edict No. 883/ 1974 on the application of the Law of the Normative Acts.

### **Additional provisions**

#### **TO DECREE NO 34 FROM 26 FEBRUARY 2008 ON AMENDMENT AND SUPPLEMENTATION OF THE REGULATIONS FOR ENTERING**

(PROM. - SG 22/08, IN FORCE FROM 01.03.2008)

§ 8. Everywhere in the Regulations the word "appeal" shall be replaced by "regional".

### **Concluding provisions**

#### **TO DECREE NO 34 FROM 26 FEBRUARY 2008 ON AMENDMENT AND SUPPLEMENTATION OF THE REGULATIONS FOR ENTERING**

(PROM. - SG 22/08, IN FORCE FROM 01.03.2008)

§ 9. This Decree shall enter into force from 1 March 2008.

### **Additional provisions**

#### **TO DECREE NO 230 FROM 25 JULY 2014 ON AMENDMENT AND SUPPLEMENTATION OF THE REGULATIONS FOR ENTERING, APPROVED BY DECREE NO 1486 OF THE COUNCIL OF MINISTER OF 1951**

(PROM. - SG 63/14; AMEND. - SG 92/14, IN FORCE FROM 07.11.2014)

§ 40. (revoked - SG 92/14, in force from 07.11.2014)

**Concluding provisions**  
**TO DECREE NO 230 FROM 25 JULY 2014 ON AMENDMENT AND SUPPLEMENTATION**  
**OF THE REGULATIONS FOR ENTERING, APPROVED BY DECREE NO 1486 OF THE**  
**COUNCIL OF MINISTER OF 1951**

(PROM. - SG 63/14; AMEND. - SG 92/14, IN FORCE FROM 07.11.2014)

§ 41. (revoked - SG 92/14, in force from 07.11.2014)

**Concluding provisions**  
**TO DECREE NO 345 OF 30 OCTOBER 2014 ON AMENDMENT AND SUPPLEMENTATION**  
**OF THE REGULATIONS FOR ENTERING, APPROVED BY DECREE NO 1486 OF THE**  
**COUNCIL OF MINISTER OF 1951**

(PROM. - SG 92/14, IN FORCE FROM 07.11.2014)

§ 39. This Decree shall enter into force on the day of its promulgation in the State Gazette.