

Deleted: DRAFT!
12/15/2005

REGULATION No. 4 OF FEBRUARY 6, 2006 ON THE OFFICIAL ARCHIVE OF THE PRIVATE ENFORCEMENT AGENTS

ISSUED BY THE MINISTRY OF JUSTICE
Promulgated SG No.16 of February 21, 2006

Deleted: REGULATION ON
THE OFFICIAL ARCHIVE OF
THE PRIVATE
ENFORCEMENT AGENTS

Chapter One GENERAL PROVISIONS

Article 1. This regulation defines the conditions and procedure of keeping of an archive of the private enforcement agent.

Deleted: way

Article 2. The official archive of the private enforcement agent contains:

1. incoming and outgoing register;
2. register of the filed cases;
3. enforcement cases;
4. journal of the performed actions;
5. payment and other documents;
6. seal of the private enforcement agent.

Deleted: performed activities

Article 3. Inquiries on the enforcement cases are given to the parties and their representatives, as well as to the persons who have legal interest.

Article 4. (1) Taking cases and documents from the official archive out of the office of the private enforcement agent by the respective competent bodies is done only in the form of copies and on the grounds of a written act of a judge or a prosecutor.

(2) The certified by the private enforcement agent copies and documents are handed against the signature of the official explicitly specified by name in the act.

Chapter Two CASE MANAGEMENT BOOKS

Article 5. (1) Each private enforcement agent keeps the following case management books:

1. incoming register;
2. outgoing register;
3. register of the filed cases (inventory book) and alphabetical index;
4. journal of the performed actions;
5. archive book.

Deleted: activities

Deleted: s

(2) The case management of the private enforcement agents acting as a civil company under the Law on the Obligations and Contracts is kept separately. The register of the filed cases is kept jointly.

(3) All case management books are kept for the calendar year.

(4) The recorded in the archive:

1. the cases and other papers are kept - 5 years;
2. the journals of the performed actions -25 years;
3. the registers of filed cases -100 years.

Deleted: performed activities

Deleted: регистрите

(5) After the expiration of the terms under para 4, the cases and other papers, journals of performed actions and registers of filed cases, which are submitted in the archive, shall be subject to submitting for permanent keeping in the respective state archive in accordance with the Law on the State Archive Fund.

Article 6. (1) The incoming register contains data on all documents and papers received in the case management office of the private enforcement agent office and related with his official activity.

(2) The incoming register follows the template as per annex № 1.

Deleted: application

Article 7. (1) The outgoing register contains data on all documents and papers going out of the case management office of the private enforcement agent and related with his official activity.

(2) The outgoing register follows the template as per annex № 2.

Deleted: application

Article 8. (1) The register of the filed cases provides information on the enforcement cases from their filing to their submission in the archive.

(2) The register of the filed cases contains the following data:

1. number and date of the application for filing of an enforcement case or for accession of an enforcement case.

2. number of the enforcement case;

3. number of the case for which is issued the writ of execution or the order;

4. the court that has issued the writ of execution or the order;

5. name and registration number of the private enforcement agent;

6. name (appellation) PIN (UIC/BULSTAT), address (head office) of the claimant;

7. name (appellation) PIN (UIC/BULSTAT), address (head office) of the debtor;

8. type and amount of the receivable;

9. origin of the receivable;

10. date of suspension, respectively, reopening, closing or termination of the case;

11. date of sending the enforcement case to another enforcement agent.

(3) Each private enforcement agent records the data in the register of filed cases at the same time of the filing, accession, sending to another enforcement agent, suspension, closing or termination of the enforcement case.

(4) The register of the filed cases follows the template as per annex № 3.

Deleted: application

Article 9.(1) The journal of the performed actions provides information on the performed enforcement and other activities, on received complaints and the effect from them.

Deleted: performed activities

(2) The journal contains the following data:

1. date;

2. a serial number;
3. number of the enforcement case;
4. charged fees and additional expenditures;
5. description of the performed actions;
6. name of the obliged person;
9. received complaints and the effect from them;
10. received payments;
11. made payments.

Deleted: performed activities

(3) The journal is closed daily.

(4) The journal follows the template as per annex № 4.

Deleted: application

Article 10.(1) The archive book contains information on the submitted in the archive enforcement cases.

(2) The archive book contains the following data:

1. serial number;
2. number of the case;
3. date and year of archiving of the case;
4. number of the bundle;
5. number and date of the protocol serving as grounds for the destruction of the case;
6. number and date of the kept documents, short description of their contents;
7. number of the book and year where they are kept;
8. note.

(3) The archive book follows the template as per annex № 5.

Deleted: application

Chapter Three ENFORCEMENT CASES

Section I Proceedings

Article 11. (1) Based upon each act that is subject to enforcement, a separate enforcement case is opened, except if the claimant requests otherwise.

Deleted: something else

Article 12. The opened cases are recorded in the register of the filed cases together with their filing in the case management office and are placed in a folder pursuant to Article 16.

Article 13. (1) When the claimant requests the writ of execution back, a protocol is prepared and it is enclosed with the enforcement case. The performed payments are recorded on the back of the writ of execution.

(2) At destruction of the enforcement cases the writs of execution are taken out and arranged in a joint folder, and at the back of the writs of execution are recorded the made payments.

Article 14. The complaints received in the case management office shall be reported immediately to the private enforcement agent.

Deleted: are considered

Deleted: by

Article 15. The complaint is sent to court by order of the private enforcement agent together with a copy of the case immediately after receipt of the objection of the other party, if there is such, or from expiry of the term for complaint.

Section II
Arranging and preserving the cases

Article 16. (1) The papers on the opened enforcement cases are placed in 'manila' colored folders by template according to annex № 2 to the Rules for Judicial Administration in the regional, district, military and appellate courts.

Deleted: application

(2) On the front cover of the folders of the enforcement cases is recorded the name and registration number of the private enforcement agent, the subject of the receivable, the parties and dates of opening and closing of the enforcement case.

(3) On the side index on the cover is recorded the number of the case. The number of the case consists of consecutively recorded: the year, the registration number of the private enforcement agent, code 04 showing the case is an enforcement one and the five digit serial number of the case. (Example: 20027010400038, where 2002 is the year of opening of the case; 701 is the registration number of the private enforcement agent; 04 – code showing it's an enforcement case; 00038 is the serial number of the case)

(4) All papers that are submitted or prepared in relation with the case are attached in order in the folder and are numbered. If the cover of the case is filled with papers, to the back of the cover is attached a new folder on which is recorded the same case number. The first folder is marked as book 1, the next as book 2 and so forth. The numbers of the consecutive book are recorded above the whole number of the case. On a blank sheet at the end of the first folder is recorded: "Followed by book 2" and in the same manner for each next book. The numbering of the papers attached in the new books follows the numbering of the papers in the previous book.

(5) The complaints and the papers filed in court by the private enforcement agent are attached to the inner side of the front cover of the folder of the copy of the enforcement case sent to court.

Article 17. (1) The folders with unclosed cases are arranged in serial number for each calendar year.

(2) The cases with assigned term for the performance of specific procedural activities (example one: term to appeal, assigned enforcement activities etc.) are arranged separately.

(3) The terminated cases are submitted in the archive.

Article 18. (1) The cases are kept in the case management office. Outside of the cases foreseen under Art. 4 (1), a case can be taken out of the case management office only by the private enforcement agent with whom it has been opened. In these cases the official writes on a template sheet as per annex № 2 to the Rules for Judicial Administration in the regional, district, military and appellate courts, the number of the case and the date. The sheet is put at the place of the removed folder and is used repeatedly for different cases.

Deleted: A

Deleted: application

(2) At receipt of documents on a case, if the same is not in the case management office, the documents are put in a template envelope folder in accordance with annex № 2 to the Rules for Judicial Administration in the regional, district, military and appellate courts and is placed next to the sheet for the removed case. When the case is returned to the case management office, the documents are enclosed with the case.

Deleted: application

Article 19. (1) The parties and their representatives go through the cases in the office of the private enforcement agent or in a room for reading of the cases. At a written application, the official issues certifications, copies and excerpts from the papers enclosed with the cases on the day of receipt of the application or on the next day at latest by order of the private enforcement agent.

Deleted: Copies of the papers enclosed with the cases are issued by the official at the date they are requested.

Article 20. When an enforcement case or a writ of execution is lost the private enforcement agent prepares a findings report, signs it and immediately notifies the claimant of it.

Chapter Four PAYMENT AND OTHER DOCUMENTS

Article 21. The written contract between the contracting party and the private enforcement agent concerning the activities under Article 18 of the LPEA are part of the official archive.

Deleted: pf

Article 22. (1) The payment documents of the private enforcement agent are prepared in accordance with the Law on Accountancy.

(2) The accounts under Article 79 of the LPEA are prepared by the template in annex No 6.

Deleted: application

Chapter Five SEAL OF THE PRIVATE ENFORCEMENT AGENT

Article 23. (1) The seal of the private enforcement agent is round in form, its diameter is 50 mm, and the following contents:

Deleted: 5.0 cm

1. in the middle – first and family name of the private enforcement agent as it is registered in the register of the private enforcement agents, an inscription “Region of Action”, the abbreviation “D.C.” (District Court or Sofia City Court) and main office of the respective district court;

Deleted: SCC

2. around the text above, in the upper half of the circle is inscribed "Private enforcement agent" and the number under which the private enforcement agent is registered in the register of the private enforcement agents, and in the lower – an inscription “Republic of Bulgaria”.

(2) The private enforcement agent can have one plastic, one metallic and one dry seal.

Article 24. (1) The seal of the private enforcement agent is made in the “Mint” Plc, Sofia.

(2) The seal is made at a request of the private enforcement agent directed to the manager of the “Mint” Plc, Sofia, which specifies the type of the requested seal, and has attached a copy of the order of assignment of enforcement powers by the Minister of Justice and an excerpt from the register of the private enforcement agents containing all data under Article 4, par.3 of the LPEA, as well as the number of recording of the private enforcement agent in the register.

(3) The seal is given to the private enforcement agent in person and against his signature.

Article 25. (1) In case of losing the seal the private enforcement agent immediately notifies the chief of the respective regional police precinct, and a report is prepared. The new seal

is made in accordance with Article 24, and with the request is enclosed a report as per the previous sentence.

(2) The activities under par.1 are also performed in case of change of the data shown on the seal. In this case, when new seals are made, the old ones are destroyed pursuant to Article 30.

Deleted: in the

Article 26. The supplements ‘assistant’ and ‘acting as’ are placed by stamps.

Chapter Six SEALING, OPENING, MOVING (INVENTORY) AND TRANSFERRING THE OFFICIAL ARCHIVE

Article 27. (1) In case there arise grounds for a private enforcement agent to lose his legal capacity, the official archive of the private enforcement agent is sealed by the order of the Chair of the District Court in accordance with Article 32, par.2 of the LPEA, for which are informed the Minister of Justice and the Council of the Chamber private enforcement agents.

(2) When the circumstances under Article 31, par.1 of the LPEA arise, the Chair of the District Court is informed by: the private enforcement agent, respectively, by his heirs, and if there are none or they are absent – by the mayor of the municipality, region or city (town) council, respectively, by the regional judge in the pending hereditary proceedings; the guardian or trustee; the Minister of Justice; the Chair of the first instance court that has ordained the judgment; the Chair of the disciplinary committee that has imposed the penalty deprivation of legal capacity of the private enforcement agent; the persons working in the office of the private enforcement agent and the Council of the Chamber of the private enforcement agents immediately after learning the respective circumstance.

(3) The sealing of the official archive is done by order of the Chair of the District Court, ordaining the sealing and appointing the official who is to perform the action.

(4) For the sealing of the official archive is prepared a report that specifies at whose request the sealing has been done, marking of the sealed premises, strong-boxes, crates and others. An inventory is prepared on the official archive of the private enforcement agent, and it is an inseparable part of the report. The report and the inventory are signed by the official who has performed the sealing.

(5) The Chair of the District Court immediately informs the Minister of Justice and the Council of the Chamber of the private enforcement agents for the performed actions.

Deleted: performed activities

(6) The Chair of the District Court can also ordain the sealing ex officio.

Deleted: officially

Article 28. (1) The opening of the official archive is done at the request of the Minister of Justice to the Chair of the District Court.

(2) The Chair of the District Court issues an order to ordain the opening and appoints the official who is to perform the actions.

(3) A report is prepared for the opening of the official archive. At opening an inventory is prepared and in terms of this inventory the official archive is transferred to the succeeding private enforcement agent. The inventory is signed by the present representatives of the Minister of Justice and of the Council of the Chamber of the private enforcement agents. The Minister of Justice decides who is to receive the archive in case more than one private enforcement agent has expressed desire to have it.

Deleted: i

(4) An inventory can be performed without sealing.

(5) When the inventory cannot be finished in the day of opening, the official making the inventory seals the portion he has not inventoried until the next day.

Article 29. When the private enforcement agent has not provided access to the archive needed during his replacement, the access is provided pursuant to Articles 27 and 28 of the Regulation.

Article 30.(1) After the transfer of the archive, the seals of the private enforcement agent are destroyed by a representative of the Chamber of the private enforcement agents in the presence of a representative of the Minister of Justice, and a report is prepared.

(2) The Chief of the respective Regional Police Precinct to the Ministry of Internal Affairs is informed of the destruction of the seal.

Additional Provisions

§ 1.(1) The case management books under Article 5 may be kept on electronic carrier.

(2) When the case management books are kept in electronic form a unique identification code is generated upon every entry.

(3) When the register of the filed cases is kept electronically it comprises a unified computer data base. Each private enforcement agent keeps a Register of filed cases by entering the information under Article 8 in the respective areas of the unified computer data base of the Register.

§2. As of January 1, 2007 the register of the filed cases and the journal on the performed actions shall be kept in a manner and standard ensuring information exchange with the state administration.

Deleted: can also

Deleted: When the journal of the performed activities is kept electronically, its closing is done with a universal electronic signature

Deleted: performed activities

Deleted: electronically in the "XML" standard of information exchange

Final Provisions

§ 3. In the Rules for Judicial Administration in the regional, district, military and appellate courts are made the following amendments:

1. Article 36, par.5 is amended as follows:

“(5) The inventory book on the enforcement cases contains the following data:

1. number and date of the application for the opening of an enforcement case or for accession to an enforcement case.

2. number of the enforcement case;

3. number of the case for which the writ of execution or order is issued;

4 the court that has issued the writ of execution or the order;

5. name and registration number of the private enforcement agent;

6. name (appellation) PIN (UIC/BULSTRAT), address (main office) of the claimant;

7. name (appellation) PIN (UIC/BULSTRAT), address (main office) of the debtor;

8. type and amount of the receivable;

9. origin of the receivable;

10. date of suspension, respectively, reopening, closing or termination of the case;

11. date of sending of the enforcement case to another enforcement agent.”

Deleted: (promulgated SG, issue 95 of 2004, amended SG, issue 83 of 10/18/2004)

Deleted: Article 36

2. Article 37, par.4 is amended as follows:

“(4) The journal of the performed actions contains the following data:

1. date;
2. serial number;
3. number of the enforcement case;
4. charged fees and additional expenditures;
5. description of the performed actions;
6. name of the obliged person;
7. received complaints and the effect from them.

8. received payments;

9. made payments.”

Deleted: Article 37

Deleted: performed activities

Deleted: performed activities

Formatted: English (U.S.)

3. B Article 104, par.1 the words „a receipt, which ” is replaced by „a protocol, which”.

Deleted: report

4. A new § 9 is added with the following text:

„§ 9 (1) The case management books under Article 36, par.5 and Article 37, par.4 may be kept electronically.

Deleted: can

Deleted: also

(2) When the case management books are kept in electronic form a unique identification code is generated upon every entry.

Deleted: When the journal of the performed activities is kept electronically, its closing is done by a universal electronic signature

(3) When the inventory book is kept electronically, each state enforcement agent enters the information under Article 36, par.5 in the respective areas of the unified computer data base of the register of the filed cases, established in accordance with § 1, par.3 of the Additional Provisions of the Regulation on the Official Archive of the private enforcement agents.

5. A new § 10 is added with the following text:

„§ 10 As of January 1, 2007 the case management books under Article 36, par.5 and Article 37, par.4 are kept in a manner and standard ensuring information exchange with the state administration.

Deleted: electronically in the “XML” standard of information exchange

§ 4. This Regulation is issued on the grounds of Article 22, par.1 of the LPEA.

Annex No. 1 to Article 6, par.2 – template of an incoming register

Deleted: Application

Date	Incoming. №	№ of enforcement case	Sender	Description	Notes
1	2	3	4	5	6

Filling in – instructions:

In column 1 – fill in the date of receipt of document in the case management office.

In column 2 – fill in the incoming number of the document received in the case management office. The incoming numbers consist of five ciphers from 00001 to 99999, and they follow the sequence of the numbers. The incoming number is recorded on the received document.

In column 3 – fill in the enforcement case number of the incoming document is filled in. In case the document is not related with a specific case, fill in ‘other’.

In column 4 – fill in the name (appellation) and address of the sender.

In column 5 – write a short description of the nature of the incoming document (for example: application for opening a case, application for suspending, complaint, information from the registration office etc.).

In column 6 – free text of the private enforcement agent.

Annex No. 2 to Article 7, par.2 – template of an outgoing register

Deleted: Application №

Date	Outgoing №	№ of the enforcement case	Addressee	Description	Notes
1	2	3	4	5	6

Filling in – instructions:

In column 1 – fill in the date of outgoing of the document from the case management office.

In column 2 – fill in the outgoing number of the document given in the case management office. The outgoing numbers consist of five ciphers from 00001 to 99999, and they follow the sequence of the numbers. The outgoing number is recorded on the sent out document.

In column 3 – fill in the enforcement case number of the outgoing document. In case the document is not related with a specific case, fill in ‘other’.

In column 4 – fill in the name (appellation) and address of the addressee.

In column 5 – write a short description of the nature of the outgoing document (for example: attachment notice, inquiry request to the registration office, sending a received complaint to the competent court etc.).

In column 6 – the way of sending of the outgoing document is specified (with acknowledgement of receipt, by registered mail, fax, courier, e-mail etc.).

Annex No. 3 to Article 8, par. 4 – template of the Register of filed cases

Deleted: Application №

№ of enforcement case	№ and date of application for opening / accession	№ of the case with issued writ of execution / orderr; name of the court	Name of the private enforcement agent	Per. № of the private enforcement agent	Claimant	Debtor	Type and amount of the receivable	Origin of the receivable	Date of suspension	Date of reopening	Date of closing	Date of termination	Date of sending of the case to another enforcement agent
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Filling in – instructions:

In column 1 – fill in the number of the enforcement case prepared in accordance with Article 16, par. 3.

In column 2 – fill in the incoming number (together with the date) of the application for opening of an enforcement case / the application for accession to an enforcement case in the incoming register of the private enforcement agent.

In column 3 – fill in the name of the court and the number of the case for which a writ of execution, respectively, order is issued.

In column 4 – fill in the name of the private enforcement agent as it is recorded in the Register of the private enforcement agents.

In column 5 – fill in the registration number of the private enforcement agent under which he is recorded in the Register of the private enforcement agents.

In column 6 – fill in the capacity of the claimant (state institution, bank, trader, legal entity or natural person). Fill in the name (appellation), PIN (UIC/BULSTAT) and address (main office) of the claimant.

In column 7 – fill in: the name (appellation), PIN (UIC/BULSTAT) and address (main office) of the debtor.

In column 8 – fill in the type of receivable – public or private, cash or non-cash. For the cash receivables as an amount of the receivable is recorded the sum total of the adjudged principle, the moratory interest and expenditures in the way they are specified in the writ of execution. When the receivable is non-cash, the amount is not shown. When in one writ of execution are specified both cash and non-cash receivables, they are recorded separately in accordance with the previous two sentences.

In column 9 – fill in information on the legal relationship resulting in the receivable (for example a promisory note, loan, rent, registered pledge etc.). It is obligatory to record the receivables resulting from a labor legal relationship, for child support money and submission of a child, respectively, ‘in a labor legal relationship’, ‘for child support money’ and ‘for submission of a child’.

In column 10 – fill in the date of suspension of the enforcement proceedings.

In column 11 – fill in the date of reopening of the enforcement proceedings.

In column 12 – fill in the date the case was ‘closed’, i.e., the receivable in the enforcement case has been fully collected.

In column 13 – fill in the date of termination of the enforcement proceedings.

In column 14 – fill in the date the case has been sent to another enforcement agent, i.e., the assignment for collection of the receivable has been withdrawn by the claimant. Fill in the registration number of the private enforcement agent, respectively, the number of the regional court of jurisdiction of the state enforcement agent sending the enforcement case.

| Application № 4 to Article 9, par.4 – template of the journal of performed actions

Deleted: performed activities

Date	Serial № of the activity	Enforcement case №	Description of the performed activity	Name (appellation) of the obliged party
1	2	3	4	5

Filling in – instructions:

General:

1. In the journal of performed actions are recorded all activities performed by the private enforcement agent in person or by his assistants or employees within the frames of their official activity.
2. It is obligatory to record all activities for the performance of which are charged fees or additional expenditures in accordance with the Tariff of the fees and the additional expenditures under the Law on the Private Enforcement Agents.
3. The activity is recorded in the journal on the date it is performed. The activity is performed on the date when the targeted legal and actual consequences take place, for example: for an inventory – date of inventory report, for restraint without inventory – the date on which the obliged person has received the notice, for an inquiry in the registration office – the date of receipt of the inquiry, for a copy of an enforcement case – the date the copy was sent to the competent body, for a subpoena – the date the subpoena was prepared, for handing of subpoena – the date it was served etc. In the cases the date of recording in the journal does not correspond with the date the activity was performed, in column 4 is specified the date on which it has been performed in accordance with the previous sentence.
4. It is obligatory to record the charging of the fees and of the additional expenditures, in accordance with the Tariff of the fees and the additional expenditures under the Law on the Private Enforcement Agents, as well as the approved by the private enforcement agent other enforcement expenditures. In these cases in column 4 besides recording ‘charged fees’, ‘charged additional expenditures’ or ‘approved expenditures’, fill in the, respectively, the grounds for charging or approving them, as well as their amounts. The recording in the journal is done at the moment of charging of the fees or the additional expenditures, i.e., simultaneously with the opening of the account under Article 79 of the LPEA, respectively, of approving the other enforcement expenditures.

Deleted: performed activities

Deleted: information

5. It is obligatory to record the preparation, respectively, the serving of subpoenas and papers under item 5 of the Tariff of the fees and the additional expenditures under the Law on the Private Enforcement Agents. The recordings are, respectively, ‘subpoena preparation’ or ‘preparation of papers’ and ‘serving of a subpoena’ or ‘serving of papers’.

6. It is obligatory to reflect the imposing of a guarantee measure under a guarantee order, i.e. a measure, which is not imposed under a pending execution proceeding. The recording is “guarantee measure”.

7. It is obligatory to record the complaints against the activities of the private enforcement agent. The receipt of a complaint is recorded in column 4 with ‘complaint – received’ and entering of the incoming number of the complaint. If the competent court has sustained the complaint, in the journal (column 4) recorded “complaint – sustained” and again is specified the incoming number of the complaint. When the complaint is partially sustained, it is still recorded “complaint – sustained”.

8. It is obligatory to record the received and made payments of receivables in the enforcement cases, respectively with ‘received payment’ and ‘made payment’. When recorded ‘received payment’, it is obligatory to specify whether it is ‘voluntary’ or ‘other’. ‘Voluntary’ payments made within the term for voluntary enforcement resulting from an agreement between the parties (including when the payment is made directly to the claimant) or the ones under Article 348 of the CPC.

The received cash payments are recorded at issuance of a credit-order. The received payments in the special bank accounts are recorded on the date of receipt of information about the movement in them from the servicing bank in the case management office of the private enforcement agent. In the cases when the date of recording in the journal does not coincide with the value date of the received payment, in column 4 is also specified the value date.

The cash payments are recorded in the journal at issuance of a debit-order. When a payment is effected by way of issuing an order-receipt for cash drawings from the special bank accounts of the private enforcement agent, the made payment is recorded in the journal at the moment of handing of the order-receipt to the entitled party. When private enforcement agent makes a payment through his special bank accounts, he records it on the date he has received confirmation the payment was done. In the cases when the date of recording in the journal does not coincide with the value date of the made payment, in column 4 is recorded the value date as well.

B column 4 it is obligatory to record also the amount of the received or made payment.

In column 1 – fill in current date.

In column 2 – fill in the serial number of the specific activity within the day. The number contains three ciphers from 001 to 999.

In column 3 – fill in the number of the enforcement case relevant to the undertaken respective action. The number of the enforcement case is the one under which the case has been recorded in the register of filed cases.

In column 4 – describe in short the performed activity.

Formatted: Bullets and Numbering

Deleted: honored

Deleted: honored’

Deleted: honored

Deleted: honored’

In column 5 – record the name, respectively, the appellation of the obliged party, i.e., the party that has become obliged resulting from the activity undertaken by the private enforcement agent. For example: the third obliged party in case of a restraint on a receivable, the removed from the real estate party in case of putting into possession etc.

Annex No. 5 to Article 10, par.3 – template of an archive book

Deleted: Application №

№	Enforcement case №	Date of archiving	Bundle №	Report № and date	Kept documents	Book - year and №	Notes
1	2	3	4	5	6	7	8

Filling in – instructions:

In column 1 – fill in the serial number.

In column 2 – fill in the number of the archived enforcement case.

In column 3 – fill in the date of archiving.

Deleted: and year

In column 4 – fill in the number of the bundle in which the case is archived.

In column 5 – fill in the number and date of the report on the grounds of which the case is destroyed.

In column 6 – describe the numbers and dates of the kept documents together with a short description of their contents.

In column 7 – fill in the year and number of the book in which the archived cases are arranged.

In column 8 – fill in possible notes referring to the archiving of the specific case.

Annex No. 6 to Article 22, par.2 – template of an Account

Deleted: Application №

ACCOUNT № 0000000
from year

Obliged party: Name/appellation: City: Address: BULSTAT (UIC):	Prepared by: Name of PEA, Registration № Region: Office address: BULSTAT (UIC): Bank account №: Bank code №:
---	---

№	Activity	Grounds	Substantive Interest	Proportional fee	Simple fee	Additional expenditures
1						
2						
3						
4						
5						
Subtotal:						
Grand Total :						

Paid: BGN (..... BGN)

- Cash: CO № of year
 Through a bank: payment order reg. № of year

Obliged person:
(signature and seal of obliged person)

Prepared by:
(signature and seal of the private enforcement agent)

Note: The District Court issues a writ of execution for the due outstanding fees and additional expenditures in this account on the grounds of Article 79, par.3 of the LPEA in connection with Article 237, „k” of the CPC.

Filling in – instructions:

General:

1. An account is prepared for the charging of all fees, simple or proportional, and of additional expenditures. An account is not prepared on the additional remunerations under Article 78, par.3 of the LPEA.

In the box ‘Obliged Party’ fill in the data on the party obliged with the account.

In the box ‘Prepared by’ fill in the data on the private enforcement agent preparing the account. When two or more private enforcement agents act under the conditions of a civil company under the LOC, besides the name of the private enforcement agent preparing the account, fill in, in brackets, the appellation of the civil company. Fill in the number (and the bank code) of the bank account where the due fees and additional expenditures are received.

In the box ‘Activity’ fill in the activity for which the fee, respectively, the additional expenditures are charged.

In the box ‘Grounds’ fill in the number of the item, respectively, the note in the Tariff for which the fee, respectively, the additional expenditures are charged.

In the box ‘Substantive Interest’ fill in the basis for calculation of the amount of the charged proportional fee.

In the box ‘Proportional Fee’ fill in the amount of the charged proportional fee.

In the box ‘Simple Fee’ fill in the amount of the charged simple fee.

In the box 'Additional Expenditures' fill in the amount of the charged additional expenditures.

In the three boxes 'Subtotal' fill in the sum totals of the charged fees and additional expenditures in the respective columns.

In the box 'Grand Total' fill in the sum total of the amounts in the three 'Subtotal' boxes.

Under 'Paid' fill in (in ciphers and words) the amount paid to the private enforcement agent in the so prepared account. Fill in the box only when the payment is done at the preparation of the account (in case of cash payment) or when there is presented proof of a registered in the bank of the ordering party bank transfer payment (in case of bank payment). In these cases, fill in, respectively, the number and date of the issued credit-order or the registration number and date of the payment order.

Deleted: In these cases, fill in only when the payment is done at the preparation of the account (in case of cash payment) or when there is presented proof of a registered in the bank of the ordering party bank transfer payment.