

Persons and Family Act

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Text in Bulgarian: Закон за лицата и семейството

I. NATURAL PERSONS

Article 1

Each person shall acquire the capacity to enjoy rights and incur obligations as of the time of birth.

Article 2

When becoming 18-years-old, persons shall become of full legal age and fully capable of acquiring rights and assuming obligations.

Article 3

(1) Persons who are below the age of 14 are infants.

(2) Their legitimate representatives - parents or guardians - shall undertake legal action for and on behalf of them.

Article 4

(1) Persons from 14 until becoming 18 years old are minors.

(2) They shall undertake legal action with the consent of their parents or custodians but for the purposes of meeting their current needs, they may conclude small ordinary transactions and dispose of their earnings.

Article 5

(Amended, SG No. 89/1953)

(1) (Amended, SG No. 89/1953) Infants and minors who, due to insanity or mental disorder, cannot take care of their affairs shall be placed under full disability and become incapacitated.

(2) Persons of full age whose condition is not so grave as to be placed under full disability shall be placed under limited disability.

(3) The provisions of Article 2 shall apply to the persons under para 1, while the provisions of Article 4, para 2 shall apply to the persons under para 2.

Article 6

(Repealed, SG No. 20/1990)

Article 7

(Repealed, SG No. 67/1999 - effective 01.01.2000)

Article 8

(1) Where somebody disappears and there is no information available about him, the regional court, at the request of the parties concerned or at the request of the public prosecutor, shall appoint a person to represent him, to undertake all

governance actions and to take all other measures to protect his interests.

(2) The representative shall be preferably selected from among the relatives or friends of the missing person.

(3) Where the missing person has a legitimate representative, no other representative shall be appointed.

(4) Where the missing person has a proxy, a representative shall be appointed only for those actions which the proxy is not authorised to undertake.

Article 9

Where the absence continues for more than a year, the court shall declare the person missing at the request of the parties concerned or the public prosecutor.

Article 10

(1) Persons who are heirs to the person declared missing as of the time of the last news about him, may request the court to rule on their taking possession of his property on a temporary basis.

(2) The proxy and representation, if any, shall be terminated as of the time of taking possession.

Article 11

(Amended, SG No. 89/1953)

(1) The persons who have been put into possession shall be entitled to manage the property of the missing person, to represent him before the court of law and other places or persons and to use the revenues from his property.

(2) Such persons shall not be entitled to alienate, mortgage or pledge the property or undertake other actions for property disposal, except for the cases of need or obvious benefit to the missing person, provided they have the permission of the regional court to do so.

Article 12

(1) Will beneficiaries and persons who have rights depending on the death of the missing person may request to be allowed to exercise these rights on a temporary basis.

(2) The fulfilment of obligations to the missing person, which are redeemed upon his death, such as payment of alimony and others, shall be discontinued.

Article 13

(1) If the missing person proves alive, the persons who have taken possession shall reimburse only the income collected after the invitation to return the property.

(2) The ruling that declares the person missing shall be cancelled.

Article 14

(1) Where five years elapse after the date of the last news about the missing person, the court shall announce his death at the request of the public prosecutor or any party concerned.

(2) The death may be announced without having declared the person missing.

Article 15

Where somebody is missing in military action or another event giving grounds to presume him dead, his death may be announced two years after the end of the military action or the event.

Article 16

(1) The court shall rule on the date and, if possible, the hour of the presumed death.