

New Rules on Representative Actions in Bulgaria – What Businesses and Consumers Need to Know

In early February 2026, new rules concerning collective redress and representative actions entered into force in Bulgaria. The changes form part of the transposition of the European framework and the implementation of Directive (EU) 2020/1828 on representative actions for the protection of the collective interests of consumers. The transposition of the Directive in Bulgaria has been significantly delayed, as the deadline was 25 December 2022.

What is behind the changes?

The reform is integrated into the Consumer Protection Act and is reflected in the Civil Procedure Code. As a result, both a substantive legal regime for the protection of the collective interests of consumers and a procedural mechanism for the adjudication of representative actions have been established.

What is new in the Bulgarian legal framework?

- 1. Types of claims** – Qualified organisations may bring actions for:
 - i) injunctive measures of practices that infringe collective interests; and
 - ii) redress measures, such as compensation, repair, replacement, price reduction, contract termination, or reimbursement of the price paid.

- 2. Right to bring an action** – The new amendments grant qualified organisations the exclusive right to bring collective consumer actions. These include entities officially listed by the Bulgarian Minister of Economy and Industry, the Consumer Protection Commission, as well as organisations or public bodies recognized by other EU Member States.

- 3. Requirements for qualified entities listed by the Minister of Economy and Industry of Bulgaria** – Qualified organisations must:
 - have as their objective the protection of the collective interests of consumers;
 - be registered as a non-profit legal entity;
 - maintain an up-to-date website;
 - demonstrate at least one year of effective activity in consumer protection;
 - maintain an office or facility for providing advice and information to consumers;
 - publish information on funding sources, the organisational, management, and membership structure, scope of activity and performed activities; and
 - guarantee financial independence from traders, including where third-party funding is involved.

The Minister of Economy and Industry may verify compliance with these requirements at any time and may remove entities that fail to meet them.

- 4. Principle of organisational transparency** – Qualified organisations are required to publish on their websites information on all representative actions they initiate, including their progress, subject matter, personal scope, and final outcome. In addition, they must submit an annual report each January to the Minister of Economy and Industry on their activities related to national and cross-border representative actions. This enables the Minister to provide this information annually to the European Commission.

- 5. New procedural framework for representative actions** – Special procedural rules have been introduced for actions seeking cessation or prohibition of infringing practices and for redress measures. These include expedited admissibility checks by the court upon filing of the claim and short time limits for scheduling hearings. Cross-border actions may be brought and coordinated jointly by organisations from several Member States where the infringement affects consumers in more than one state.

Once admitted, the action is publicly announced, and the court sets deadlines and procedures for consumers to join. Proceedings on the merits may continue only if at least ten consumers join the action. Consumers who join are not liable for court costs, except in cases of intentional or negligent abuse of procedural rights.

This new legal framework differs from the general regime governing collective actions.

What does this mean for consumers?

Consumers gain a more effective tool for protection in cases of mass infringements, including the possibility of coordinated action against unfair practices.

The introduction of the new regime is part of a broader European trend towards strengthening collective consumer protection and significantly changes the balance between traders and consumers.

Other amendments to the Consumer Protection Act

The amendments introduce the application of Regulation (EU) 2023/988 on general product safety into Bulgarian law and significantly expand the obligations of manufacturers, importers, economic operators, and providers of online marketplaces with regard to product safety, traceability, and the management of risks related to dangerous products.

Specific requirements are introduced for maintaining registers of complaints, incidents, and product recalls, as well as an obligation to provide information in the Bulgarian language. Market surveillance

authorities are required to submit notifications in the rapid alert system “Safety Gate” regarding corrective measures taken either by them or by economic operators, as well as any updates, amendments or withdrawals of such corrective measures.

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