

**Question for written answer E-008099/2012
to the Commission**
Rule 117
Slavi Binev (NI)

Subject: Gross violations of competition law

In Bulgaria, the rules on free and fair business activity are being trampled underfoot, and Articles 3(1)(b), 12 and 107 TFEU are being violated. Under Article 417(2) of the QSG rules, the issuing of payment orders can be requested on the basis of documents or extracts from the accounts, and this is how state institutions, municipal councils and banks collect their receivables. This privileges those state institutions, municipal councils and banks which act as creditors. Nothing in the Bulgarian Civil Code makes provision for this unfair system, which gives state institutions, municipal councils and banks an advantage when collecting their receivables. It is inexplicable that Article 417(2) of the QSG rules creates different conditions for business activities by banking institutions and those applicable to credit institutions which are not banks. Similarly, there is no good reason for state institutions and municipal councils being in an advantaged position compared to other, private sector, institutions.

These preferential 'legal' rules for banking institutions are contrary not only to the idea of free competition, but also to the functioning of the internal market.

They also, of course, violate consumer rights.

Can the Commission indicate:

what action it will take in response to the Bulgarian administration's violation of Articles 3(1)(b), 12 and 107 TFEU?