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## **LIMITATION PERIODS AND ENFORCEMENT PROCEEDINGS UNDER THE TAX AND SOCIAL INSURANCE PROCEDURE CODE**

In the Emergency Measures and Actions Act (“the Act”) were adopted measures regulating the limitation periods and the suspension of public enforcement proceedings under the Tax and Social Insurance Procedure Code (“TSIPC”).

During the state of emergency the limitation periods under TSIPC, including the absolute 10-year limitation period regarding public obligations performance, are suspended.

The 6 month-period for public enforcement upon insolvency procedures under TSIPC is also suspended.

During the state of emergency should not be initiated public enforcement proceedings, unless in case particularly important state or public interests need to be preserved, or if the enforcement of the act may be seriously delayed, or if from the enforcement delay serious damages may arise.

The public enforcement proceedings under the TSIPC are suspended. However, the actions performed before the enforcement suspension shall remain effective.

After the enforcement proceedings suspension, the public enforcement agents are not allowed to perform new enforcement actions, however they are allowed to perform actions in order to secure the claim, as well as to allocate the amounts received within an enforcement case.

The public enforcement proceedings shall be resumed after the state of emergency’s termination.

Before the state of emergency’s termination, the public enforcement proceedings may be resumed with a public enforcement agent ordinance upon a debtor’s request for the following enforcements: \_

- a) claims and cash held at banks;
- b) third-parties claims;
- c) valuables deposited at safe-deposits vaults.

Upon the enforcement realization under the above listed items, the public enforcement proceeding shall be suspended.

We note also that the 7 day-period for the entrance into possession under the sale of auction is suspended as per the provisions of the Act.

The tax control procedures are not suspended, thus current tax checks and tax audits assigned continue. The terms in tax court proceedings are suspended.

*For more current topics related to the legislation regulating the emergency situation, you can find information on our website - [www.penkov-markov.eu](http://www.penkov-markov.eu) Of course, you can also contact us for further information and assistance at [lawyers@penkov-markov.eu](mailto:lawyers@penkov-markov.eu).*

*The above provides general information related to the adoption of the Emergency Measures and Actions Act and is not exhaustive and serves as a guide for interpreting the news as of March 26, 2020.*