

SUMMARY

OF THE DISSERTATION WORK ON "THE LEASING AGREEMENT"

DIMITAR VASSILEV MIRTCHEV - PhD STUDENT

The dissertation thesis on the "The Leasing Agreement" examines the legal framework of the leasing contract in Republic of Bulgaria as a monograph. The main purpose of that PhD research was to provide an analysis of the current legislation, to identify gaps and shortcomings in national laws and practices, and to make the relevant **de lege ferenda** recommendations.

The thesis indicates the advantages of leasing contract in relation to other types of civil and commercial contracts, as well as reveals its economic meaning and purpose. The author points out the differences between the two main types of leasing contracts regulated by Bulgarian law - operating leasing and financial leasing. In this regard, the thesis defends that financial leasing is a tool (source) for the funding of companies. It also goes into deep detail revealing the legal aspects of dry and wet lease contracts of aircrafts according to the Bulgarian legal framework.

The dissertation thesis also analyzes the similarities and differences of the lease contract in comparison with other types of contracts governed by the Bulgarian private law, including agreements connected with the use of movable or immovable assets.

The author's thesis argues the differences between operating and financial leasing not only on the grounds of Bulgarian and foreign legislation, but also by references to the relevant case-law.

The thesis highlights the most important tax, financial and accounting aspects of the lease agreement, as well as these related to termination of contract.

The thesis discusses the legal framework of sub-leasing and leasing of a commercial enterprise in accordance with art. 15 of the Commerce Act of Republic of Bulgaria.

The doctoral thesis goes into detail on issues relating to conclusion of the leasing contract, essential terms of the lease contract, rights and obligations of the parties under the lease contract, and the circumstances – established by entry into the Central Register of Pledges, kept by the Registry Agency at the Minister of Justice in Republic of Bulgaria.

Attention is drawn to the different legal aspects of the modification and termination of the lease, including its termination.

The paper work summarizes the mandatory leasing contract case-law of the Supreme Court of Cassation of Republic of Bulgaria.

In conclusion, the doctoral thesis provides important scientific legal analysis of leasing contracts as one of the named commercial contracts under art. 342 - 347 of the Commerce Act of Republic of Bulgaria, the relevant case-law, as well as to the proposals **de lege ferenda**.