

Legislative Initiatives of the Ombudsman 2022

The Ombudsman uses the powers to influence the regulatory framework in the interest of the citizens when referred to with complaints and alerts, some accompanied by collections of signatures. The Ombudsman also takes steps *ex officio* when, in the course of support for citizen actions, it is established that there is a legislative gap or that the provisions create prerequisites for violations of the citizens' rights.

In 2022 the Ombudsman institution sent a letter to the Deputy Prime Minister and Minister of Economy and Industry in regard to an initiative to discuss and prepare a draft law to regulate the activities of so-called **debt collection companies** (payday loan companies). Following the publication of the bill on the collection of claims under consumer contracts (the so-called Collectors Act) for public consultation, the Ombudsman sent an opinion with specific proposals and recommendations, as well as an opinion to the Committee on Legal Affairs of the 48th National Assembly on the already introduced draft.

Moreover, the Ombudsman made a recommendation to the Chairperson of the National Assembly and the MPs from the Parliamentary Committees on Labour and Social Policy and on Budget and Finance for adoption of an explicit regulatory provision under which the **COVID supplements** (paid as **an anti-crisis measure to persons with pensions**) **would become non-sequestrable in the event of an enforcement action**. As a result of the recommendation, a provision was adopted specifying that no enforcement action is to be taken in respect of the above-mentioned funds.

In 2022 the Ombudsman was also advocating for the **rights of citizens who have multi-year housing savings deposits**. An opinion was sent to the Committee on Budget and Finance, in which the Ombudsman insisted that the National Compensation Housing Fund at the Council of Ministers not be closed. However, by virtue of §12 of the 2022 State Budget Act, it was closed nonetheless. The local commissions under Article 8, paragraph 2 of the **Settling the Rights of Citizens with Multi-Year Housing Savings Deposits Act** were terminated from the day of promulgation of the act in the State Gazette (4 March 2022). On the same issue, a recommendation was also sent to the Minister of Finance, in which the **Ombudsman insisted that an option be provided for compensating**

the holders of the so-called saving interest points and only then proceed to the closure of the National Compensation Housing Fund.

The Ombudsman referred to the Minister of Health, the Chairperson of the Health Committee of the 48th National Assembly and the Chairperson of the Consumer Protection Committee regarding the **mass distribution and use by minors of nitrous oxide** (laughing gas). The legislative changes recommendation and the proposal were unanimously accepted by the MPs, and the ban on the supply, sale, including online, and use by children of laughing gas was incorporated in the provisions of the Health Act.

On the elections for MPs held during the year, a recommendation was sent to the caretaker Prime Minister, the caretaker Minister of Health and the Chairperson of the Central Election Commission regarding the **exercise of electoral rights by citizens in a vulnerable situation**, as well as the lack of opportunity to vote for persons who are placed under mandatory quarantine or mandatory isolation for a period including the election day.

A bill to amend and supplement the **Pre-school and School Education Act** was also prepared and submitted to the attention of the National Assembly.

The Ombudsman proposed to the MPs to adopt changes in the Personal Income Tax Act to introduce **non-sequestration of** the amounts that the National Revenue Agency reimburses through the employers of workers and employees who had used **tax benefits for children or for children with disabilities**. The proposal was adopted and the Personal Income Tax Act was amended.

In 2022, after the submission to the National Assembly of a **Bill on the bankruptcy of natural persons** (the Personal Bankruptcy Act) the Ombudsman sent a detailed opinion.

The Ombudsman also sent opinions on the Act Amending and Supplementing the **Asylum and Refugees Act**; the draft Volunteering Act; the Act Amending and Supplementing the **Condominium Management Act**; the bill to amend and supplement the **Medicinal Products in Human Medicine Act**; the Act Amending and Supplementing the **Mediation Act**; the Act Amending and Supplementing the **Health Act** in view of the introduced new obligations for patients; Act Amending and Supplementing the **Obligations and Contracts Act** regarding the **reduction of the amount of legal interest**, etc.