

RULES ON APPLICATION OF THE FOREIGNERS IN THE REPUBLIC OF BULGARIA ACT

In force from 05.07.2011

Prom. SG. 51/5 Jul 2011, Amend. SG. 41/7 May 2013, Amend. SG. 110/21 Dec 2013, Amend. SG. 60/22 Jul 2014, Amend. SG. 61/25 Jul 2014, amend. SG. 40/2 Jun 2015, amend. SG. 57/28 Jul 2015, amend. and suppl. SG. 79/7 Oct 2016, amend. and suppl. SG. 51/27 Jun 2017, amend. and suppl. SG. 81/10 Oct 2017, amend. and suppl. SG. 57/10 Jul 2018

Chapter one. GENERAL PROVISIONS

Art. 1. These Rules shall provide for the application of the Act on Foreigners in the Republic of Bulgaria (AFRB) about the conditions and procedure for entry, residence and leaving the country by foreigners, as well as the members of the family of Bulgarian national, who are not nationals of an EU Member State or of a state – party of the European Economic Area Agreement (EEAA), or of Confederation Switzerland.

Art. 2. (1) (Amend. – SG, 51/17, in force from 27.06.2017) The foreigners shall enter the Republic of Bulgaria through the border check points (BCP) with a valid passport, or another similar document, as well as with a visa, where this is required.

(2) (Amend. – SG, 51/17, in force from 27.06.2017) The foreigners may enter the Republic of Bulgaria with a valid passport or by a replacing valid document for travelling, which is recognized by the Republic of Bulgaria.

Art. 3. (1) (Amend. – SG, 51/17, in force from 27.06.2017) Any foreigner, who fails to meet the requirements of entry in the Republic of Bulgaria shall not be admitted to the country by the check point bodies. For the refusal, a single standard form for refusal of entry at the border shall be filled in pursuant to Part B of Annex V Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), (OJ, L 105 of 23.3.2016, p. 1 - 52).

(2) (Amend. – SG, 51/17, in force from 27.06.2017) In case that a foreigner, for whom a signal has been given for refusal of entry by the Schengen information system, is permitted to enter the country because of humanitarian reasons, or this is needed by the state interest or according to implementation of international agreements, to which the Republic of Bulgaria is a party, the border control borders shall inform International Operative Cooperation Directorate at the Ministry of Interior (MI), which shall notify the states, applying the Schengen acquis communautaire.

Art. 4. (1) (Amend. – SG, 51/17, in force from 27.06.2017) In case that the foreigner's passport or replacing document has not been sealed at his entry in the Republic of Bulgaria, the MI competent bodies may accept, that the document holder has not fulfilled or no longer fulfills the conditions for extension of the short-term residence in the Republic of Bulgaria.

(2) In the cases under Para. 1 the foreigner may prove through valid documents – transport tickets or other documents, certifying his residence out of the territory of the Republic of Bulgaria, that he has observed the conditions for the period of the short-term stay.

(3) In the cases under Para. 2, the foreigner may be issued a single form for confirmation of the condition observations for the period of the short-term residence pursuant to Annex N VIII to the Schengen borders code.

(4) (Amend. – SG, 51/17, in force from 27.06.2017) If in the cases under Para. 1 the foreigner fails to prove that he has observed the conditions for the period of the short-term stay, the MI competent bodies

shall remark in the passport or the replacing document the date, on which he has crossed the external border of the Republic of Bulgaria, as well as the place of crossing the relevant border.

Art. 5. (1) (Repealed – SG, 51/17, in force from 27.06.2017).

(2) (Repealed – SG, 51/17, in force from 27.06.2017).

(3) (Repealed – SG, 51/17, in force from 27.06.2017).

(4) (Repealed – SG, 51/17, in force from 27.06.2017).

(5) (Repealed – SG, 51/17, in force from 27.06.2017).

(6) Where a visa is nullified or cancelled, on it a stamp shall be placed with the sign: “NULLIFIED” or “CANCELLED” and apart from it the optically alterable sign of the visa sector, the security sign “the latent image effect” as well as the term “visa” shall be destroyed by crossing it.

(7) (Repealed – SG, 51/17, in force from 27.06.2017).

(8) The bodies, who have performed cancellation or nullification of the visa, shall register in the Visa information system (VIS) the information for nullified and cancelled visas and in the cases where they have no access to VIS – shall notify within the term of 48 hours the Councilor Relations Directorate at the Ministry of Foreign affairs (CRD of MFA) about the decision taken.

(9) if the visa is nullified or cancelled, but the factual actions under Para. 6 have not been performed, the CTD of MFA shall give instructions to the representation abroad, which ahs issued the visa to declare it as nullified or cancelled through VIS.

(10) In case of nullification, cancellation or refusal for issuance of a visa, a standard form, approved by an act of the Council of Ministers shall be filled in.

Art. 6. (1) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015) with entry in the Republic of Bulgaria the foreigner shall declare the purpose of his visit and shall indicate in writing the address at which he will stay, by producing to the border control bodies the filled in address card under Art. 18, Para. 1 of AFRB. The filled in address cards shall be sent for a subsequent processing and storage in the sectors/groups "Migration" at the Regional Directorates of the Ministry of the Interior (RDMI).

(2) (Amend. – SG, 51/17, in force from 27.06.2017) The border control bodies shall stamp the passport or replacing document of the foreigner pursuant to the requirements of the Schengen borders code.

Art. 7. (1) The minimal personal financial means for a daily maintenance of a foreigner, who enters the Republic of Bulgaria with the purpose of short-term residence or transit passing, shall be in the amount of EUR 50, or their equivalence in BGN or another free convertible currency, apart from the cases of implementing inter-governmental agreements for educational, scientific or cultural exchange or pursuant to acts of the Council of Ministers.

(2) The needed personal financial means for provision of accommodation shall be not less than EUR 50 per day of the residence or their equivalence in BGN or in another free convertible currency or a document of paid accommodation in an accommodation place or an invitation – declaration by a Bulgarian natural person which certifies that he provides accommodation.

(3) The needed personal financial means for leaving the Republic of Bulgaria at an entry on land or water by a driven by the person vehicle shall be at least EUR 200 or their equivalence in BGN or in another free convertible currency unless the person holds a return ticket.

(4) The needed personal financial means for leaving the country by a foreigner shall be in the amount, corresponding to the ticket price and the fees due (fir any) for return trip to the country of origin or to a third state, which the foreigner has the right to enter and stay.

Art. 8. In the cases under Art. 28 of AFRB the offices for administrative control of foreigners shall express the declared address in a specialized information database for administrative service of foreigners.

Art. 9. (1) (Amend. – SG, 51/17, in force from 27.06.2017) Persons, performing hotel activity, with

accommodating a foreigner shall register him in a special register, in which they shall enter the names of the foreigner, the way they are written in the passport or the replacing document, the date and year of birth, citizenship, the number of the passport or the replacing document and the period of residence at the relevant address.

(2) (Amend. – SG, 51/17, in force from 27.06.2017) In the cases under Art. 28, Para. 3 of AFRP, the persons shall produce before the offices for administrative control of foreigners or the relevant regional MI office (RO of MI) at the foreigner's location of residence his passport or replacing document, if the foreigner does not appear in person, by filling in 2 standard address cards pursuant to Annex N 1. The produced address cards shall be processed by the offices for administrative control of foreigners or by the relevant Ro of MI and one of the copies shall be handed to the person, who has given accommodation.

(3) Persons, carrying out hotel activity or their employees shall produce to Ro of MI or in the offices for administrative control of foreigners upon the hotel location, address cards under Para. 2 or a list of the accommodated foreigners on paper/electronic media or in electronic mode.

Art. 10. (1) (Repealed - SG, N 110/2013)

(2) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015) The control upon address registration of foreigners shall be carried out by the heads of the sectors/groups "Migration" at the RDMI or the heads of the RO of MI.

Art. 10a. (New - SG 57/18, in force from 10.07.2018) When submitting an application for a long-stay visa, the foreigner shall submit the necessary documents based on the grounds on which he is applying for the right of residence.

Art. 11. (1) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015, amend. – SG, 51/17, in force from 27.06.2017) (1) In extraordinary circumstances, or in present humanitarian reasons, or of state interest the services for administrative control of foreigners may extend one time the term of validity of a visa for short term residence and of the permit in it term of residence under Art. 27, Para. 1 of the AFRB by placing a personalized visa sticker and a stamp of the issuing body on the passport or its replacing document.

(2) In extraordinary circumstances in case of humanitarian reasons or of state interest, the services for administrative control of foreigners may extend the term of residence of foreigners, who have entered the country in conditions of free visa regime for short term stay.

(3) For extension of the term of validity of a visa for short term stay and of the permitted hereof term of stay under Para. 1 or the term for stay under Para. 2, the foreigner shall submit in person an application according to a standard form under Annex N 2 in MI Migration Directorate or in sectors and Migration groups under RD of MI before expiry of the permitted term of stay, to which he shall have attached:

1. his passport or replacing travelling document and a copy of the pages with the photo, personal data, the stamp pf the border control bodies in the last entry in the Republic of Bulgaria, and where this is referable – also the possessed visa;

2. documents, evidencing present of extraordinary circumstances or humanitarian reasons in the meaning of Para. 1 or 2;

3. stable, valid , invisible and sufficient funds for maintenance, residence home;

4. compulsory medical insurance for the term of the applied extension of the visa and the stay in the country.

(4) In the cases under Para. 1, the services for administrative control of foreigners shall notify in writing the CRD of MFA about the decision taken.

(5) (Amend. - SG 57/18, in force from 10.07.2018) When a foreigner of Bulgarian origin has entered the territory of the Republic of Bulgaria legally and does not have a long-stay visa, the authorities for administrative control of foreigners after providing a written statement by the State Agency for national

security (SANS), and after consultation with the Consular Relations Directorate of the Ministry of Foreign Affairs (MFA-CRD) may issue a residence permit when the state's interest so requires or under exceptional circumstances, proven according to the established procedure by relevant documents, or upon submission of a labour contract registered with the National Revenue Agency (NRA) concluded for a minimum period of six months. The Migration Directorate or Sector/Group "Migration" at the RD of the Ministry of Interior shall send to the CRD -MFA a document for the visa fee paid.

(6) (New - SG 57/18, in force from 10.07.2018) The employment contract under Para. 5 shall not be required of the foreigner in cases where the information is reflected in the Register for notifications of conclusion, amendment or termination of employment contracts or notifications of change of employer notifications.

Chapter two.

RESIDENCE OF FOREIGNERS IN THE REPUBLIC OF BULGARIA

Section I.

Long-term Stay

Art. 12. (1) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015; amend. and suppl. - SG 79/16, in force from 30.09.2016) For receiving the right to long residence under Art. 24, Para. 1, item 5 and 13, Art. 24f, Para. 1, Art. 33d, Para. 4, Art. 33k, Para. 3 and Art. 33q, par. 1 of the AFRB in view to reunification of the family, the foreigner with a permitted residence not shorter than a year on the territory of the Republic of Bulgaria shall submit to Migration Directorate or in the RDMI a standard application pursuant to Annex N 3, which shall have attached as follows:

1. (Amend. – SG, 51/17, in force from 27.06/2017) a copy of a valid passport or replacing document of the family member with validity term of not shorter than 6 months starting from the date of submission of the application with the pages of the photo and the personal data;

2. (deleted - SG 57/18, in force from 10.07.2018)

3. evidence for a provided accommodation;

4. (amend. – SG, 51/17, in force from 27.06.2017) evidence for stable, valid , providable and sufficient funds available for maintenance of the family members without referring to the social assistance system in the amount not smaller than the minimal monthly salary or the minimal pension for the country for the term of residence on the territory of the Republic of Bulgaria;

5. (amend. - SG, 110/2013) certificate showing no conviction, issued on the state of submission of the documents by the state of the foreigners' citizenship or by the state of his usual residence – with the initial submission of the application;

6. (amend. – SG, 51/17, in force from 27.06.2017) a marriage certificate, or a birth certificate;

7. documents about the circumstances for maintenance of the family members and the need of laying personal care because of health reasons in the cases under Art. 2, Para. 4 of the AFRB.

(2) For establishing the facts and circumstances under Art. 26, Para. 4 of the AFRB, the offices for administrative control of foreigners shall draw up a grounded opinion, which shall be applied to the application for provision of right to long term stay.

(3) The application under Para. 1 shall be examined and decided within the term of 1 month after coordination with National Security State Agency (NSSA) and Consulate Relations Directorate (CRD) – Ministry of Foreign Affairs, which shall provide their opinions within the term of 15 days.

(4) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015) For the decision taken for the family reunification, the Migration Directorate Director, the Directors of the RDMIs or officials authorized by them shall notify in writing the applicant in the order of the Administrative – Procedure Code (APC).

(5) (Suppl. - SG, 110/2013, amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015) For the decision taken for the family reunification, the Migration Directorate

Director, the Directors of the RDMIs or officials authorized by them shall notify the Migration Directorate – of MI and CRD of Ministry of Foreign Affairs, by providing a grounded written opinion, containing compulsory administrative measures, information about the representation abroad, where the application for issuing a long term residence visa will be submitted or the reason or lack of such for the family reunification.

(6) (Suppl. - SG, 110/2013, amend. - SG, 60/2014, in force from 22.07.2014) For the decision taken for re-unification of the family, the Director of the Migration Directorate shall notify CRD of the Ministry of Foreign Affairs by producing a grounded written opinion, containing a list of the documents, information about the available or lack of compulsory administrative measures, information about the representation abroad, where the application for issuing a long term residence visa will be submitted or the reason or lack of such for the family reunification, attached by the foreigner.

(7) CR Directorate of the Ministry of Foreign Affairs shall notify the Representation abroad of the Republic of Bulgaria in the state of permanent residence of the family member or in the representation abroad, accredited for the state of permanent residence of the family member within the term of up to 5 days after receiving the notification under Para. 5 and 6.

(8) A positive decision on the application for reunification of the family shall be a reason for the foreigner – family member to have been issued a visa under Art. 15, Para. 1 of the ADRB under the relieved procedure. The foreigner shall submit an application for a visa before the representation abroad of the Republic of Bulgaria in the state of his permanent residence or in the representation abroad, accredited for the state of his permanent residence or in the representation abroad, accredited for the state of his permanent residence within the term of up to 6 months from the notification.

(9) (New - SG 79/16, in force from 30.09.2016) Family reunification of foreigners under art. 33q, par. 1 is not bound by the need for the holder to have stayed for a certain minimum period.

(10) (New – SG, 51/17, in force from 27.06.2017) In the cases, where the competent service for administrative control of foreigners refuses to recognize a document on civil status, which has been produced before it, the interested person may claim the established claim before the Sofia city court.

Art. 13. (1) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015) After his entry on the territory of the Republic of Bulgaria and within the term not shorter than 14 days before expiry of the term of the issued visa, the foreigner – member of the family shall attach to the initially submitted documents to the Migration Directorate or in the RDMI:

1. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport or replacing document with the pages of the photo, the personal data, a copy of the visa under Art. 15, Para. 1 of the AFRB and the stamp of the last entry in the country; for comparison of the authenticity of the copy, the original of the passport or replacing document shall also be produced;

2. obligatory medical insurance, valid for the territory of the Republic of Bulgaria, where the person has not been insured under the Act on Health Insurance (AHI).

(2) For establishing the facts and circumstances under Art. 26, Para. 4 of the AFRB, the administrative control offices of the foreigners shall draw up a grounded opinion, which shall be attached to the application for provision of right to long term stay.

(3) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015) Within the term of up to 3 days after applying the documents under Para. 1 and in case of lack of grounds for deprivation of the provided right to residence in view reunification of the family, the Director of Migration Directorate, the Directors of the RDMIs or officials authorized by them shall define the term of the permitted residence of the foreigner – member of the family and shall notify him about his obligation for pay the state fee under Tariff N 4 on Fees, which are to be collected in the MI system under the Act on State Fees for the provided right to stay.

Art. 14. (1) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015) For receiving the right to a long term residence the foreigner shall produce in person to the

Migration Directorate or in the RDMI a standard application under Annex N 3, which shall have attached as follows:

1. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport, or replacing document with the pages of the photo, the personal data, a copy of the visa under Art. 15, Para. 1 of the AFRB, where applicable and the stamp of the last entry in the country; for comparison of the authenticity of the copy, the original passport, or replacing document shall also be produced;

2. (suppl. - SG 57/18, in force from 10.07.2018) a document for a paid state fee under Art. 10, Para. 3 of Tariff N 4 on Fees, collected in the MI system under the Act on State Fees, with the exception of foreigners applying on grounds as per Art. 24, Para. 1, items 5, 13 and 18, Art. 24c, Art. 24i and Art. 33d, Para. 4 of the Foreigners in the Republic of Bulgaria Act;

3. evidence for a provided accommodation;

4. obligatory medical insurance, valid on the territory of the Republic of Bulgaria, where the person has not been insured under the AHI;

5. (suppl. - SG, 110/2013, amend. – SG, 51/17, in force from 27.06.2017) evidence for stable, regular, providable and sufficient maintenance funds without referring to the social assistance system in the amount not smaller than the minimal monthly work salary, the minimal stipendium or the minimal pension for the country, for the term of residence on the territory of the Republic of Bulgaria;

6. certificate showing no previous convictions, issued by the state, whose national the foreigner is, or by the state of his usual residence – in an initial submission of the application.

(2) The application under Para. 1 shall be submitted not later than 14 days before expiry of the permitted term of residence of the foreigner on the territory of the Republic of Bulgaria. The application shall be examined and decided within the term of up to 14 days. In case of a legal or factual complexity and need of production of additional documents, this term may be extended by one month, about which the foreigner shall be notified in writing, by informing him that the needed documents and information are to be produced within 14 day term. In case that the additional documents and information are produced within the set term, the procedure shall be terminated and the application shall not be subject to reexamination.

(3) With the initial provision of right to long term residence under Chapter Three “a” of the ADRB, the application shall be submitted not later than 3 months from the entry of the foreigner on the territory of the Republic of Bulgaria. The application shall be examined and decided within the term of up to 4 months from the date of its submission. In case of legal or factual complexity or need of production of additional documents, this term may be extended by 3 months, about which the foreigner shall be informed in writing, by informing him that the needed documents and information are to be produced by the expiry of the extended term. In case that the additional documents and information are not produced within the set term, the procedure shall be terminated and the application shall not be subject to reexamination.

(4) (Amend. - SG 57/18, in force from 10.07.2018) The application under Art. 24b and 24i of the AFRB shall be submitted not later than 7 days before expiry of the permitted term of residence of the foreigner on the territory of the Republic of Bulgaria. The application shall be examined and decided within the term of up to 7 days. In case of legal or factual complexity and need of production of additional documents, this term may be extended by 14 days, about which the foreigner shall be notified in writing by informing him that the needed documents and information are to be produced within 14 day term. In case that the additional documents and information are not produced within the set term, the procedure shall be terminated and the application shall not be subject to reexamination.

(5) The foreigner shall be notified in writing under APC about the decision taken.

Art. 15. For receiving the right to a long term residence under Art. 24, Para. 1, p. 1 of the AFRB, the foreigner shall apply the documents under Art. 14, Para. 1 and a certified copy of the work permit, issued by the Employment Agency.

Art. 16. (amend. - SG 81/17, in force from 01.01.2018, amend. - SG 57/18, in force from 10.07.2018) (1) For receiving a long-term residence permit under Art. 24, Para 1, item 2 of the FRBA upon

initial filing, or upon renewal of the permit for long-term residence, the foreigner shall attach the documents under Art. 14, Para. 1.

(2) The Migration Directorate or Sector/Group "Migration" at the RD of the Ministry of Interior shall attach the following documents obtained ex officio: a certificate of good standing from the Commercial Register, a reference and/or information on the presence or lack of obligations of the trader and of the natural persons - managers or partners, and:

1. in the cases of initial filing – a reference for at least 10 Bulgarian nationals employed full-time by a local person-insurer, for every foreigner who has enjoyed the right of residence, including a summary for an employer for a given period, or

2. in the cases of renewal of the permit - a reference for at least 10 Bulgarian nationals employed full-time by a local entity-insurer, for every foreigner for the preceding six or twelve months.

Art. 17. For receiving right to long term residence under Art. 24, Para. 1, p. 4 of the AFRB, the foreigner shall apply the documents under Art. 14, Para. 1 and a document, certifying that he is a specialist residing in the country under an international agreement to which the Republic of Bulgaria is a party.

Art. 18. (1) For receiving right to long term residence or extension of the term of residence of a family member under Art. 24, Para. 1, p. 5 of the AFRB, the foreigner shall apply the documents under Art. 14 and also:

1. documents, certifying availability resting upon permit for permanent stay;

2. (amend. – SG, 51/17, in force from 27.06.2017) a marriage certificate, or a copy of a marriage certificate;

3. (repealed - SG, 110/2013)

(2) (New - SG, 110/2013) The offices for administrative control of foreigners shall attach to the foreigner's application an official information for an acquired right to permanent residence of a spouse.

(3) (Former Para. 2 - SG, 110/2013) For the purposes of Para. 1, p. 1 the foreigner of Bulgarian origin shall attach also a birth certificate. Where it is impossible to produce a birth certificate, a certificate by the State Agency for Bulgarians Abroad shall be applied.

Art. 19. For receiving the right to long term residence under Art. 24, Para. 1, p. 6 of the AFRB, the foreigner shall apply the documents under Art. 14, Para. 1 and:

1. (amend. – SG, 51/17, in force from 27.06.2017) certificate for current registration of the trade representation in the Bulgarian Chamber of Commerce and Industry, issued not earlier than one month before its presentation, which must indicate, that the circumstances under Art. 24, Para. 1, p. 6 of the AFRB must be fulfilled;

2. (revoked - SG 81/17, in force from 01.01.2018)

Art. 20. (1) (suppl. - SG 81/17, in force from 01.01.2018) For receiving the right to a long term residence under Art. 24, Para. 1, item 7 of the FRBA, the foreigner shall apply the documents under Art. 14, Para. 1 and a birth certificate for the child, when he/she is a foreigner.

(2) To the documents under Para. 1, an official reference for a permitted permanent stay, or a Bulgarian citizenship shall be attached.

Art. 21. For receiving the right to a long term residence under Art. 24, Para. 1, p. 8 of the AFRB, the foreigner shall attach the documents under Art. 14, Para. 1 and a certificate from a medical establishment with an indicated plan for treatment and recovery.

Art. 22. For receiving the right to a long term residence under Art. 24, Para. 1, p. 9 of the AFRB, the foreigner shall apply the documents under Art. 14, Para. 1 and a document for accreditation, issued by the Ministry of Foreign Affairs.

Art. 23. For receiving the right to a long term residence under Art. 24, Para. 1, p. 10 of the AFRB,

the foreigner shall apply the documents under Art. 14, Para. 1 and:

1. (amend. - SG 57/18, in force from 10.07.2018) a document issued by the competent bodies of the relevant state, certifying that he is entitled to pension;
2. a document, issue by a bank on the territory of the Republic of Bulgaria, certifying that there is an available account in which the relevant pension transfers will be received.

Art. 24. (1) For extension of the right to residence under Art. 24, Para. 1, p. 13 of the AFRB, the foreigner shall apply the documents under Art. 14, Para. 1 and:

1. (amend. – SG 51/17, in force from 27.06.2017) a marriage certificate or a birth certificate;
 2. medical documents about some serious health reasons in the cases of Art. 2, Para. 4 of the AFRB.
- (2) To the documents under Para. 1, an official reference about the permitted residence of the relative shall be attached.

Art. 25. For receiving the right to a long term residence under Art. 24, Para. 1, p. 14 of the AFRB, the foreigner shall apply the documents under Art. 14, Para. 1 and:

1. a birth certificate;
2. a declaration and other information about the presence of the circumstances of factual concubine.

Art. 26. For receiving the right to a long term residence under Art. 24, Para. 1, p. 15 of the AFRB, the foreigner shall apply the documents under Art. 14, Para. 1 and a certified copy of a permit for performing activity as free lancer, issued by the bodies of the Ministry of Labour and Social Policy.

Art. 27. For receiving the right to a long term residence under Art. 24, Para. 1, p. 16 of the AFRB, the foreigner shall apply the documents under Art. 14, Para. 1 and a certified copy of a permit for carrying out non-profitable activity, issued by the Ministry of Justice.

Art. 28. For receiving the right to a long term residence under Art. 24, Para. 1, p. 17 of the AFRB, the foreigner shall apply to the application under Art. 14, Para. 1 a letter by a competent state authority, confirming availability of the circumstances for provision of statute of special protection and a document for a paid state fee under Art. 10. Para. 3 of Tariff N 4 on Fees, collected in the MI system under the Act on State Fees.

Art. 29. (1) For receiving the right to a long term residence under Art. 24, Para. 1, p. 18 of the AFRB, the foreigner shall apply the documents under Art. 14, Para. 1 and:

1. (amend. – SG 51/17, in force from 27.06.2017) a marriage certificate or a birth certificate;
2. (revoked - SG 81/17, in force from 01.01.2018)
3. a document for relative connections under Art. 2, Para. 6 of the AFRB;
4. a medical document about any serious health reasons, which impose laying personal cares;
5. (new - SG, 110/2013) documents for incomes and maintenance of the family members under Art. 2, Para. 6, p. 3, 4 and 5 of the AFRB.

(2) (new - SG 81/17, in force from 01.01.2018) The documents under Para. 1, item 1 shall not be required from the foreigner in cases where the information is available in the National Population Database.

(3) (prev. para. 2 - SG 81/17, in force from 01.01.2018) For establishing the facts and circumstances under Art. 26, Para. 4 of the AFRB the offices for administrative control of foreigners shall draw up a grounded opinion, which shall be attached to the application of provision the right of long term stay.

Art. 29a. (New - SG, 110/2013) (1) For receiving the right to a long term residence under Art. 24, Para. 1, p. 19 of the AFRb, the foreigner shall apply the documents under Art. 14, Para. 1 and the following documents, apart from the cases, where they are available in a lot of the relevant trade company in the Commercial register:

1. (revoked - SG 81/17, in force from 01.01.2018)

2. certifying document by a Bulgarian licensed credit institution for coming in an amount, not smaller than BGN 600 000 for acquiring the right to ownership by a foreigner over immovable properties on the territory of the country or participation in the capital of the relevant trade company; in case of using borrowed funds, also a certifying document by a credit institution for the unpaid part of the loan, not more than 25%;

3. a document for ownership of immovable properties on the territory of the country of a foreigner or a trade company;

4. information about the costs of the trade company for acquiring immovable properties for the period after depositing the sum under p. 2 in the trade company capital, with copies of the contract for the sale (cost approving documents), a copy of the inventory book or amortization plan, proving entry of long term material assets or another document, certifying the value and type of the acquired new immovable properties after depositing the sum under p. 1.

(2) The offices for administrative control of foreigner shall carry out officially a reference in the trade register for certifying the completeness of the circumstances for provision of the right to a long term stay.

Art. 29b. (New - SG, 110/2013) (1) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. – SG 40/15) To receive the right for long term residence under Art. 24, Para. 1, p. 20 of AFRB, the services for administrative control of foreigners shall apply to the submitted by the foreigner documents under Art. 14, Para. 1 also a certificate from the Ministry of Economy, provided to Migration Directorate ex-officio.

(2) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. – SG 40/15) Migration Directorate shall notify the Ministry of Economy about the issued permits for long term residence under the certificates under Para. 1.

(3) (amend. – SG 40/15) The foreigners with provided right to long term residence shall declare before the Ministry of Economy every change in the circumstances under Art. 24, Para. 1, p. 20 of AFRB.

(4) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. – SG 40/15) The Ministry of Economy shall notify Migration Directorate about each change in the circumstances on the issued certificate, leading to non-fulfillment of the requirements for issue of the certificate, which would be a reason for withdrawal of the provided right to stay, established at a check up of the entered circumstances and the announced acts in the trade register and in other cases.

Art. 29c. (1) (New - SG, 110/2013, prev. text of Art. 29c - SG 81/17, in force from 01.01.2018) For receiving the right to long term residence under Art. 24, Para. 5 and 6 of the AFRB, the foreigner shall apply the documents under Art. 14, Para. 1, and:

1. (amend. – SG, 51/17, in force from 27.06.2017) a marriage certificate, or a copy of an act for marriage, drawn up in the Republic of Bulgaria or abroad;

2. (amend. – SG, 51/17, in force from 27.06.2017) in case of termination of the marriage with judicial decision – a copy- excerpt, or a complete copy of the marriage act, where the marriage has been concluded in the Republic of Bulgaria; a copy of the judicial decision – where the marriage has been concluded abroad;

3. a copy excerpt of a death act, drawn up in the Republic of Bulgaria or abroad.

(2) (new - SG 81/17, in force from 01.01.2018) The documents under Para. 1, item 1 shall not be required from the foreigner in cases where the information is available in the National Population Database.

Art. 29d. (New - SG, 110/2013) For receiving the right to a long term residence under Art. 24, Para. 7 of the AFRB the foreigner shall apply the documents under Art. 14, Para. 1 and documents about some extraordinary circumstances in the meaning of § 1, p. 7 of the Additional Provision of AFRB.

Art. 29e. (New - SG 57/18, in force from 10.07.2018) (1) In order to obtain a right of long-term residence pursuant to Art. 24b of the Foreigners in the Republic of Bulgaria Act, the foreigner accepted as a

researcher in the Republic of Bulgaria shall submit the documents under Art. 14, Para. 1 and the contract concluded with the research organization in the Republic of Bulgaria.

(2) Before issuing the permit under Para. 1, Migration Directorate or Sector/Group "Migration" at the RD of the Ministry of Interior shall check the registration of the research organization in the Register of Scientific Activities in the Republic of Bulgaria.

(3) The long-term residence permit under Para. 1 shall be issued as per the duration of the contract and is to be renewed in accordance with the Regulations for Application of the Labour Migration and Labour Mobility Act.

(4) In the cases of Art. 24b, Para. 7 of the Foreigners in the Republic of Bulgaria Act, the competent authorities of the first EU Member State shall notify the Republic of Bulgaria of the planned stay and shall submit the following documents:

1. a valid residence permit;
2. a valid passport or a substitute document;
3. evidence of accommodation secured;
4. obligatory medical insurance;
5. a criminal record excerpt.

(5) The planned stay under Para. 4 may take place after the expiry of the period for objection by the Migration Directorate before the first Member State, which cannot be longer than 30 days from receipt of the completed application.

(6) The family members of a foreigner accepted as a researcher in the Republic of Bulgaria on the grounds of Art. 24b, Para. 7 of the Foreigners in the Republic of Bulgaria Act, wishing to accompany him on the territory of the Republic of Bulgaria, shall submit the documents under Para. 4, as well as a certificate of marriage or a birth certificate.

(7) In order to obtain the right of long-term residence pursuant to Art. 24b, Para. 9 of the Foreigners in the Republic of Bulgaria Act, the foreigner shall submit the documents under Art. 14, Para. 1 and the contract concluded with the research organization in the Republic of Bulgaria.

(8) The Migration Directorate or Sector/Group "Migration" at the RD of the Ministry of Interior shall notify the foreigner and the first Member State within 30 days as of the filing date of the application for the right of long-term residence pursuant to Art. 24b, Para. 9 of the Foreigners in the Republic of Bulgaria Act. The Migration Sector/Group " " at the RD of the Ministry of Interior shall immediately inform the Migration Directorate about the granting of a right of long-term residence on the grounds of Art. 24b, Para. 9 of the Foreigners in the Republic of Bulgaria Act.

(9) In order to obtain the right of long-term residence, the family members of a foreigner accepted as a researcher in the Republic of Bulgaria on the grounds of Art. 24b, Para. 9 of the Foreigners in the Republic of Bulgaria Act, shall submit the documents under Para. 4, as well as a certificate of marriage or a birth certificate.

(10) Upon completion of the scientific study, any foreigner who has been granted a permit for long-term residence in the Republic of Bulgaria on the grounds of Art. 24b of the Foreigners in the Republic of Bulgaria Act, may obtain an extended long-term residence for a period of up to 9 months. He shall submit an application form № 3 at least 30 days before the expiry of the authorized stay. The Migration Directorate or Sector/Group "Migration" at the RD of the Ministry of Interior shall examine ex officio the circumstances under Art. 36, Para. 3 of the Labour Migration and Labour Mobility Act.

Art. 30. (1) For receiving the right to a long term residence under Art. 24c of the AFRB, the foreigner, accepted to a regular study in a higher school shall apply the documents under Art. 14, Para. 1 and:

1. (amend. - SG, 62/2013, in force from 03.07.2013) a certificate for his residence for study in the Republic of Bulgaria, issued by the Ministry of Education and Science, and a certificate, issued by the

higher school, that the foreigner will study during the relevant year;

2. an evidence for a paid fee for entry in the higher school, which shall produced after entry of the person on the territory of the Republic of Bulgaria with visa under Art. 15, Para. 1 of the AFRB.

(2) For the students, who at entry in a higher school use health insurance, the document under Art. 14, Para. 1, p. 4 shall not be required.

(3) (Amend. - SG 57/18, in force from 10.07.2018) For receiving the right to a long term residence under Art. 24c, Para. 2 of the FRBA, the foreigner the apply the documents under Art. 14, Para. 1, as well as:

1. a documents certifying that the foreigner carries out part of the training in the Republic of Bulgaria as part of a European Union program or a multilateral program, or as part of an agreement between two or more higher education schools, at least one of which is Bulgarian;

2. a document certifying that the foreigner has been admitted as a student at a higher education institution in the Republic of Bulgaria;

3. a valid residence permit issued by another EU Member State;

4. proof of a paid tuition fee at the respective higher education institution, when such is required.

(4) (Amend. - SG 57/18, in force from 10.07.2018) The requirements of Para. 3, item 1 shall not apply where within the frames of his course of education, the student is obliged to conduct part of his study at a higher school on the territory of another Member State.

(5) (Amend. - SG 57/18, in force from 10.07.2018) The Migration Directorate may request from the competent bodies of the first Member State the needed information about the residence of the foreigner on its territory.

Art. 31. For receiving the right to a long term residence under Art. 24c of the AFRB, the foreigner, accepted on the territory of the country for education in the high school level of education within the frames for an exchange programme, shall apply the documents under Art. 14, Para. 1, p. 1 and 2 and:

1. a certificate for admission on the territory of the country for education in the high school level of education;

2. evidences for participation in a programme for school exchange;

3. documents, issued by the organization for school exchange, guaranteeing covering his costs for existence, education, health and return;

4. (amend. - SG 57/18, in force from 10.07.2018) documents, certifying the admission of the school child for the whole term of his residence by a family, meeting the defined conditions and selected in compliance with the rules of the school exchange programme, in which he participates, or in a special housing facility within the educational institution's compound;

5. a notary certified declaration about consent of the parents, guardians or trustees.

Art. 32. (Amend. - SG 57/18, in force from 10.07.2018) To obtain a right of residence pursuant to Art. 24c, Para. 1, item 3 of the Foreigners in the Republic of Bulgaria Act, the foreigner shall submit the documents under Art. 14, Para. 1, as well as:

1. a copy of an employment contract containing data on the length of the internship, place and conditions for conducting the internship compound **нудостоворяващи**, ths. He shall io: ;

2. certificate of an internship program;

3. a certificate that he/she has passed or will pass a language training for acquiring the necessary knowledge for the purpose of the internship;

4. a document certifying the degree of higher education received during the two years prior to the date of filing the application, or that he/she has enrolled in an educational course leading to the acquisition of a higher education degree.

Art. 32a. ((New - SG, 110/2013) For receiving the right to a long term residence under Art. 24h of the AFRB, the foreigner shall apply to the application under Art. 14, Para. 1 also:

1. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport, or replacing document with the pages of the photo and the personal data; for checking the authenticity of the copy, the original document shall also be produced;

2. a certificate document by the relevant administrative body or a judicial body about existence of a pending administrative or penal procedure, formed under Art. 227, Para. 3 and 5 of the Penal Code;

3. a document for a paid fee under Art. 10, Para. 3 of Tariff N 4 for the fees, collected in the MI system under the Act on State Fees.

Art. 32b. (New - SG, 110/2013) (1) (Amend. - SG, 60/2014, in force from 22.07.2014) For providing the right to a long term residence and issue of a permit for long term residence of type Single Permit for residence and Work, the services for administrative control of foreigners shall apply to the submitted by the applicant documents under Art. 14, Para. 1 a copy of the written permit for exercising employment, issued by the Employment Agency, which shall be provided to Migration Directorate officially.

(2) (Amend. - SG, 60/2014, in force from 22.07.2014; revoked – SG 79/16, in force from 30.09.2016)

Art. 32c. (New - SG 57/18, in force from 10.07.2018) To obtain a right of long-term residence on the grounds of Art. 24, Para. 1, item 21 of the Foreigners in the Republic of Bulgaria Act, the foreigner shall submit the documents under Art. 14, Para. 1, as well as an agreement with the host organization on the territory of the Republic of Bulgaria, containing place of conducting, description and duration of the volunteer activity.

Art. 33. For receiving the right to a long term residence under Art. 25b of the AFRB, the foreigner shall submit in person a standard application under Annex n 3, to which the following shall be attached:

1. a document for a paid state fee under Art. 10, Para. 3 of Tariff N 4 on fees, collected in the MI system under the Act on State Fees;

2. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport or replacing document with the pages of the photo, personal data, the entry visa and the stamp of the last entry in the country; for checking the authenticity of the copy, the original of the passport, or replacing document;

3. a certified copy of a permit for family reunion, issued by the president of the State Agency for Refugees.

4. (new - SG 57/18, in force from 10.07.2018) proof of secured accommodation;

5. (new - SG 57/18, in force from 10.07.2018) obligatory medical insurance, valid on the territory of the Republic of Bulgaria;

6. (new - SG 57/18, in force from 10.07.2018) evidence of stable, regular, predictable and sufficient means of subsistence without recourse to the social insurance system, in the amount not less than the minimum monthly salary, the minimum scholarship or the minimum pension for the country, for the period of residence on the territory of the Republic of Bulgaria.

Section II. Permanent Residence

Art. 34. (1) (amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force from 28.07.2015) For receiving the right to permanent residence the foreigner shall submit in person to Migration Directorate or in the RDMI a standard application under Annex n 4, to which the following shall be attached:

1. (amend. - SG, 110/2013) a document for a paid state fee under Art. 1, Para. 4 of Tariff N 4 on fees, collected in the MI system under the Act on State Fees;

2. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport, or replacing document with the pages of the photo, personal data, visa under Art. 15, Para. 1 of the AFRB, where such is required and the stamp for his last entry in the country; for checking the authenticity of the copy, the original

passport or the replacing document shall also be produced;

3. evidences for a provided housing;

4. (amend. – SG, 51/17, in force from 27.06.2017) evidence for stable, regular, providable and sufficient means of maintenance without referring to the social assistance system, in an amount, not smaller than the minimal monthly working salary or the minimal pension for the country;

5. a certificate, showing no conviction, issued by the state, whose national the foreigner is, or by the state of his usual residence – at first submission of the application.

(2) (amend. - SG 81/17, in force from 01.01.2018) The application under Para. 1 shall be submitted not later than 3 months before expiry of the permitted term of the foreigner's residence on the territory of the Republic of Bulgaria. The application shall be examined and decided within the term of up to 2 months. In case of a legal and factual complexity and need of production of additional documents, this term may be extended by 2 months, for which the foreigner shall be notified in writing, by informing him to produce the needed documents and information within 1 month term. In case that the additional documents and information are not produced within the set term, the procedure shall be terminated and the application shall not be subject to a repeated review.

(3) (amend. - SG 81/17, in force from 01.01.2018) The application under Para. 1 shall be submitted not later than 2 months before expiry of the permitted term of the issued visa under Art. 15, Para. 1 of the AFRB, where the foreigner applies for the first time for the right to residence on the territory of the Republic of Bulgaria. The application shall be examined and decided within the term of up to 2 months. In case of a legal and factual complexity and need of production of additional documents, this term may be extended by 2 months, about which the foreigner shall be notified, informing him to produce the needed documents and information within 1 month term. In case that the additional documents and information are not produced within the set term, the procedure shall be terminated and the application shall not be subject to a repeated review.

(4) The foreigner shall be notified in writing about the decision taken under the Administrative Procedure Code.

Art. 35. (1) (Amend. - SG 57/18, in force from 10.07.2018) For receiving the right to permanent residence under Art. 25, Para. 1, p. 1 of the AFRB, the foreigner shall apply the documents under Art. 34, Para. 1, item 1, 2, and 5, declaration by the owner certified by a notary to provide a residence address, a birth certificate.

(2) In the cases, where it is impossible production of birth certificate, a certificate from the State Agency for Bulgarians Abroad shall be attached.

Art. 36. (1) For receiving the right to a permanent residence under Art. 25, Para. 1. p. 2 of the AFRB, the foreigner shall apply the documents under Art. 34, Para. 1, and:

1. (amend. – SG, 51/17, in force from 27.06.2017) a marriage certificate;

2. (revoked - SG 81/17, in force from 01.01.2018)

(2) To the application the services for administrative control of foreigners shall apply an official certificate for continuity of residence of the foreigner in the country during the last 5 years.

Art. 37. (amend. - SG 81/17, in force from 01.01.2018) For receiving the right to a permanent residence under Art. 25, Para. 1, p. 3 of the AFRB, the foreigner shall apply the documents under Art. 34, Para. 1 and a birth certificate. The services for administrative control of foreigners shall apply ex officio reference for permitted permanent residence of one of the parents.

Art. 38. (Suppl. - SG, 110/2013, amend. - SG 81/17, in force from 01.01.2018) For receiving the right to a permanent residence under Art. 25, Para. 1, p. 4 of the AFRB, the foreigner shall apply the documents under Art. 34, Para. 1 and a support declaration. In the cases, where the descendent Bulgarian national is adult, documents shall be applied, certifying the circumstances under Art. 144 of the Family Code. The services for administrative control of foreigners shall apply official information from the MI

information funds about the legal and permanent residence of the foreigner for the term of 3 years on the territory of the country as well as a birth certificate of the descendant Bulgarian national.

Art. 38a. (New - SG, 110/2013) For providing the right to a permanent residence under Art. 25, Para. 1, p. 5 of the AFRB, the services for administrative control of foreigners shall apply to the submitted documents by the applicant under Art. 34, Para. 1 official information form the MI information funds about the legal permanent residence of the foreigner during the last 5 years on the territory of the country.

Art. 39. (Amend. - SG, 61/2014, in force from 25.07.2014) (1) (amend. - SG 57/15, in force form 28.07.2015) For receiving the right to a permanent residence under Art. 25, Para. 1, p. 6, 7 and 17 of the AFRB, the services for administrative control of foreigners shall apply to the submitted by the applicant documents under Art. 34, Para. 1 a documents, certifying the relevant circumstances under Art. 25, Para. 1, p. 6, 7 and 17 of the AFRB and provided officially by the Bulgarian Investment Agency to the Migration Directorate.

(2) (amend. - SG 57/15, in force form 28.07.2015) The Migration Directorate shall notify the Bulgarian Investments Agency about the issued permits for permanent residence under the issued documents under Para. 1.

(3) (amend. - SG 57/15, in force form 28.07.2015) In the cases under Art. 25, Para. 1, p. 17 of the AFRB, the Migration Directorate shall notify the Bulgarian Investment Agency about the issued permits for permanent residence under Art. 24, Para. 1, p. 19 and 20 of the AFRB for the period of 5 years, preceding the submission of an application for receiving the right to a permanent residence.

(4) (amend. - SG 57/15, in force form 28.07.2015) The Bulgarian Investments Agency shall notify Migration Directorate about each change in the established circumstances by the document under Para. 1, leading to non-fulfillment of the requirements for its issuance, which shall be a reason for withdrawal of the provided right to residence at the moment, become known to the Agency.

(5) The foreigners with a provided right to a permanent residence shall declare before the Bulgarian Investment Agency immediately each change of the circumstances under Art. 25, Para. 1, p. 6, 7 and 17 of the AFRB and once a year – but not later than 1 December of the current year – the lack of a change in them. The activity under this Paragraph shall be reflected in a special register.

(6) For preparation of a document, certifying the relevant circumstances under Art. 25, Para. 1, p. 6, 7 and 17 of the AFRB, the foreigner shall submit a request to the Bulgarian Investment Agency, to which he shall attach a declaration for the origin of the funds under the Act on measures against Money laundering, and in case that the request is submitted by an authorized person – an authorization with a notary certificate of the signature or authorized lawyer, as well as the following documents, translated in the Bulgarian language, where applicable:

1. in the cases of Art. 25, Para. 1, p. 6, letter "a" of the AFRB:

a) an original of a valid signed contract for deals with financial instruments to which a copy shall be made on site by the official, accepting the documents and

b) a certification document or in formation about possessed securities (portfolio) about all deposits, issued by the Central Depository – AD, Sofia and where applicable – by a foreign person under Art. 41, Para. 1 of the Act on Markets of Finacial Instruments, entered under Art. 136, Para. 1 of the Act on Public Offering of Securities;

2. in the cases of Art. 25, Para. 1, p. 6, letter "b" of the AFRB:

a) a certificate, issued by the relevant bank – sub-depository about acquired by the foreigner state securities and from a bank trustee – about acquired municipal bonds;

b) a certificate from the relevant credit institution about a signed deal for purchase of state securities or an issued by it confirmation of the deal;

3. in the cases under Art. 25, Para. 1, p. 6, letter “c” and “d” of the AFRB – a certificate from the Privatization Agency and Post-Privatization Control or from the relevant municipal administration about available relevant circumstance under Art. 25, Para. 1, p. 6, letters “c” and “d” of the AFRB;

4. in the cases of Art. 25, Para. 1, p. 6, letter “e” of the AFRB:

a) a certificate of the Ministry of Culture or a certificate from the Patent Office about available relevant circumstance and

b) an evaluation of the sites of copy right, issued by an independent evaluator under the Act on Independent Evaluators;

5. in the cases under Art. 25, Para. 1, p. 6, letter “f” of the AFRB – a certificate from the kontcendent, determined under Art. 17 of the Act on Kontcendents;

6. in the cases under Art. 25, Para. 1, p. 7 of the AFRB:

a) the original of a valid signed contract with a licensed credit institution for contract for trustee management with the term not smaller than 5 years, of which a copy is made at site by the official, accepting the documents or a certificate from the relevant credit institution for a signed contract for trustee management;

b) notary certified declaration that the invested sum shall not be used for guaranteeing other money credits by the credit institution in Bulgaria and for consent the credit institutions in Bulgaria to notify the Bulgarian Investment Agency upon request of the executive director whether they have information about an established pledge over the investment for guaranteeing money credits for the minimal 5 year term of the contract;

7. in the cases under Art. 25, Para. 1, p. 17 in relation to Art. 24, Para. 1, p. 19 of the AFRB:

a) a declaration that there is not change in the circumstances, grounded the permit for long term residence under Art. 24, Para. 1, p. 19 of the AFRB, or

b) (amend. and suppl. - 81/17 (*)) the relevant updated documents under Art. 29a, Para. 1, accompanied by a reference from the property register at the Register Agency about the entries, remarks or deletion under Art. 46 and 47 of the Rules on Registry for the person and for the immovable property, which shall be applied ex officio.

8. (amend. – SG 40/15, amend. - SG 57/15, in force form 28.07.2015) in the cases under Art. 25, Para. 1, p. 17 in relation to Art. 24, Para. 1, p. 20 of the AFRB shall be indicated the number or shall be produced a copy of the certificate, issued by the Ministry of Economy about present circumstances under Art. 24, Para. 1, p. 20 of the AFRB and provided to Migration Directorate in original officially under Art. 29b, Para. 1 for certification of maintenance of the investment under Art. 24, Para. 1, p. 20 for the term of 5 years.

(7) (amend. - SG 57/15, in force form 28.07.2015) The Bulgarian Investments Agency shall submit the prepared document to Migration Directorate with a copy to the applicant within the term of 14 working days from receiving the request under Para. 6. The documents shall be with the term of validity 6 months. In case of a legal and factual complexity, the term for preparation of the document may be extended by 10 working days where the Bulgarian Investment Agency shall have the right to request additional documents from the foreigners.

Art. 39a. (New - SG, 61/2014, in force from 25.07.2014) (1) For receiving the right to permanent residence under Art. 25, Para. 1, p. 8 of the AFRB, the foreigner shall apply to the documents under Art. 34, Para. 1, also:

1. (revoked - SG 81/17, in force from 01.01.2018)

2. a bank certificate that a sum not smaller than BGN 6 000 000 has come into an account of the relevant trade company at its establishment or for increasing its capital.

(2) The services for administrative control of foreigners shall carry out officially a reference in the trade register in relation to the entry of the circumstances for the trade company.

(3) The foreigners with a provided right to permanent residence shall declare before Migration directorate – MI each change in the investment, leading to its termination or transfer or to decreasing its amount under the required value pursuant Art. 25, Para. 1, p. 8 of the AFRB

(4) Foreigners with a provided right to permanent residence shall submit an annual declaration

before Migration Directorate – MI about the presence of the circumstances under Art. 25, Para. 1, p. 8 of the AFRB, accompanied by the relevant certification documents.

Art. 40. For receiving the right to a permanent residence under Art. 25, Para. 1, p. 9 of the AFRB, the foreigner shall apply the documents under Art. 34, Para. 1 and:

1. (revoked - SG 81/17, in force from 01.01.2018)
2. a certificate from the Municipality on residence or permanent address before leaving the Republic of Bulgarian about the date and way of leaving the country;
3. a birth certificate;
4. a certificate form the Ministry of Justice that the person is not a Bulgarian national.

Art. 41. (1) (prev. text of Art. 41 - SG 81/17, in force from 01.01.2018) For receiving the right to a permanent residence under Art. 25, Para. 1, p. 10 of the AFRB, the foreigner shall apply the documents under Art. 34, Para. 1 and:

1. an official document, certifying the entry of the person on the territory of the Republic of Bulgaria by 27 December 1998;
2. a birth certificate;
3. (amend. – SG, 51/17, in force from 27.06.2017) a marriage certificate of the parent – foreigner with a Bulgarian national.

(2) (new - SG 81/17, in force from 01.01.2018, amend. - SG 57/18, in force from 10.07.2018) The documents under Para. 1, items 2 and 3 shall not be required from the foreigner in cases where the information is available in the National Population Database.

Art. 42. (1) For receiving the right to a permanent residence under Art. 25, Para. 1, p. 11 of the AFRB, the foreigner shall apply the documents under Art. 34, Para. 1 and:

1. (amend. – SG, 51/17, in force from 27.06.2017) a marriage certificate or a birth certificate;
2. (suppl. - SG, 110/2013) medical documents for serious health reasons, which impose laying personal care, evidence about the incomes and support of the family members under Art. 2, Para. 6, p. 3, 4 and 5 of the AFRB.

(2) (new - SG 81/17, in force from 01.01.2018) The documents under Para. 1, item 1 shall not be required from the foreigner in cases where the information is available in the National Population Database.

(3) (prev. para. 2 - SG 81/17, in force from 01.01.2018) To the application the services for administrative control of foreigners shall apply officially a reference for interminable residence of the foreigner in the country during the last 5 years.

Art. 43. (1) For receiving the right to a permanent residence under Art. 25, Para. 1, p. 12 of the AFRB, the foreigner shall submit a standard application under Annex N 4, which shall have attached:

1. a document for a paid state fee under Art. 10, Para. 3 of Tariff N 4 on fees, collected in the Ministry of Interior system under the Act on State Fees;
2. (amend. – SG, 51/17, in force from 27.06.2017) a copy of the pages of the passport, or replacing document, with which the person has entered the country, issued by the relevant former Soviet Republic with the photo and personal data;
3. a birth certificate;
4. evidence for provided housing;
5. (amend. – SG, 51/17, in force from 27.06.2017) evidence for stable, regular, providable and sufficient funds for support without referring to the social assistance system, in the amount, not smaller than the minimal monthly work salary or the minimal pension for the country;
6. an official documents, issue by a diplomatic or consulate representation of the relevant former Soviet Republic, that the persons have not been recognized as nationals of the relevant state;
7. an official document, certifying the entry of the person on the territory of the Republic of Bulgaria by 27 December 1998.

(2) The services for administrative control of foreigners shall carry out a follow up check about the validity of the document under Para. 1, p. 6.

Art. 44. (Amend. - SG, 110/2013) (1) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. – SG 40/15) For provision of the right to permanent residence under Art. 25, Para. 1, p. 13 and 16 of the AFRB, the services for administrative control of foreigners shall apply to the submitted documents by the foreigner under Art. 34, Para. 1, a certificate from the Ministry of Economy, provided to Migration Directorate officially.

(2) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. – SG 40/15) The Migration Directorate shall notify the Ministry of Economy about the issued permits for permanent residence under the certificates under Para. 1.

(3) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. – SG 40/15) The Ministry of Economy shall notify the Migration Directorate about each change in the circumstances on the issued certificate, leading to non-fulfillment of the requirements for issue of the certificate, which would be a reason for withdrawal of the provided right to residence, established during:

1. a check up of the entered circumstances and the declared acts in the trade register;
2. (suppl. – SG 40/15) check up of reports, provided by the companies to the Ministry of Economy in relation to fulfillment of contracts for provision of encouraging measures under the Act on Investment Encouragement;
3. check up of the information, provided by the companies to the Bulgarian Investment Agency under Art. 19a of the Rules on Application of the Act on Investment Encouragement, as well as in other cases.

(4) (amend. – SG 40/15) The foreigners with provided right to permanent residence shall declare before the Ministry of Economy immediately each change of the circumstances under Art. 25, Para. 1, p. 13 and 16 of the AFRB and once a year – about the lack of change in the circumstances on the issued certificate.

(5) (amend. – SG 40/15) Fulfillment of the condition under Art. 25c, Para. 3 of the AFRB shall be certified before the Ministry of Economy.

(6) (amend. – SG 40/15) The conditions and procedure for issue of the certificate under Para. 1 and for applying Para. 3 shall be determined by the Minister of Economy.

Art. 44a. (New - SG, 110/2013) (1) For receiving the right to permanent residence under Art. 25, Para. 1, p. 14 and 15 of the AFRB, the application under Art. 34, Para. 1 shall have attached:

1. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport or replacing document, if the child possesses such with the pages of the photo and the personal data; for comparison of the authenticity of the copy the original of the passport or the replacing document shall also be produced;
2. an opinion of Social Assistance Directorate on the current address of the child;
3. a birth certificate;
4. a copy of the judicial decision and/or order for placement of the child;
5. a document for a paid state fee under Art. 12, Para. 4 of Tariff n 4 on fees, collected in the MI system under the Act on State Fees.

(2) The certificate for provision the right to permanent residence of an infant shall be submitted by the head of the specialized institution or social service of resident type and for minor persons – personally at the presence of the head of the specialized institution or social service of residence type, who shall express his consent by placing a signature in the application.

Art. 45. For receiving the right to residence under Art. 25a of the AFRB, the foreigner shall submit personally a standard application under Annex N 2, which shall have attached:

1. a document for a paid state fee under Art. 10, Para. 3 of Tariff N 4 on fees, collected in the MI system under the Act on State Fees;

2. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport or replacing document with the pages of the photo, personal data, visa – where applicable and the stamp of the last entry in the country; for comparison of the authenticity of the copy, the original of the passport or the replacing document shall also be produced;

3. evidence for a provided housing;

4. a document for merit in the relevant field, issued by the competent Minister, with the exception of the cases, related to the national security.

Art. 46. (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force from 28.07.2015) For receiving the right to a permanent residence, the heads of the sectors/groups "Migration" at the RDMI shall also attach to the foreigner's application a written opinion about the possibility the foreigner to acquire this status.

Section III.

Residence of Foreigners for the Purposes of Highly Qualified Labour Employment

Art. 47. (1) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force from 28.07.2015) For receiving the right to residence for purposes of highly qualified labour employment and issue of a permit for residence and work of type "EU Blue card", the foreigner shall submit in person to the Migration Directorate - MI or in the RDMI a standard application under Annex N 3, which shall have attached:

1. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport, or replacing document with the pages of the photo, personal data, visa under Art. 15, Para. 1 of the AFRB, where applicable and the stamp of the last entry in the country; for comparing the authenticity of the copy, the original of the passport, or the replacing document shall also be produced;

2. the obligatory medical insurance, valid for the territory of the Republic of Bulgaria, where the person has not been insured under the Act on Health Insurance.

(2) (Amend. - SG, 110/2013, amend. - SG, 60/2014, in force from 22.07.2014) The services for administrative control of foreigners shall attach to the application a copy of the written permit for exercising a highly qualified employment, issued by the Employment Agency, which shall be produced to Migration Directorate officially.

(3) The application shall be submitted not later than 7 days before expiry of the term for the foreigner's residence on the territory of the country.

(4) The application shall be examined and decided within 7 day term, in case that all the required documents and information have been provided. In case that the information or the documents, produced with the application are not sufficient, the competent bodies shall notify the applicant about the required additional information and documents and shall determine a 7 day term for their provision. The term for examination of the application shall be stopped, while the competent bodies receive the required additional information or documents. If the additional information or documents are not produced within the frames of the term, the procedure shall be terminated and the applicant shall not be subject to repeated examination.

(5) The foreigner shall be notified in writing about the decision taken under the Administrative Procedure Code.

(6) (Suppl. - SG, 110/2013) The foreigner, who has been provided with the right to residence and employment for the purposes of highly qualified labour employment, shall be issued a residence permit of type "EU Blue card" under the requirements of Council Regulation (EC) N 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OJ, L 157 of 15.06.2001, p. 1 - 7, special Bulgarian issue), where in the field "permit type" shall be entered: "EU Blue card" and in the field "Remark" the condition for access to the labour market shall be remarked.

(7) (Amend. - SG, 110/2013, amend. - SG, 60/2014, in force from 22.07.2014; revoked - SG 79/16, in force from 30.09.2016)

Art. 48. (1) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force from 28.07.2015) For extension of the right to residence of family members of holder of EU Blue card, the foreigner shall submit in person to Migration Directorate, or in the RDMI a standard application under Annex N 3, which shall have attached:

1. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport, or replacing document with the pages of the photo and the personal data;
2. (amend. – SG, 51/17, in force from 27.06.2017) a marriage certificate or a birth certificate;
3. medical documents about some serious health reasons in the cases under Art. 2, Para. 4 of the AFRB;
4. evidence for a provided housing;
5. obligatory medical insurance, valid for the territory of the Republic of Bulgaria, where the person has not been insured under the Act on Health Insurance;
6. (amend. – SG, 51/17, in force from 27.06.2017) evidence for stable, regular, providable and sufficient funds for support without referring to the social assistance system in the amount, not smaller than the minimal monthly work salary or the minimal pension for the country for the term of residence.

(2) For establishing the facts and circumstances under Art. 26, Para. 4 of the AFRB, the services for administrative control of foreigners shall prepare a motivated opinion, which shall be attached to the application for provision of the right to residence.

(3) (Amend. – SG, 51/17, in force from 27.06.2017) The family members of the holder of EU Blue card shall be issued a permit for long term residence with validity term, corresponding to the residence term of the holder of EU Blue card, as far as the validity term of the national passports, or replacing documents allows this.

(4) The application under Para. 1 shall be submitted not later than 14 days before expiry of the permitted term of residence of the foreigner on the territory of the Republic of Bulgaria. The application shall be examined and decided within the term of up to 14 days. In case of a legal and factual complexity and need of production of additional documents or information, this term may be extended by 1 month, about which the foreigner shall be informed in person, informing him that the needed documents and information are to be produced within 14-day term. In case that the additional documents and information are not produced within the set term, the procedure shall be terminated and the application shall not be subject to repeated examination.

(5) The foreigner shall be notified in writing about the decision taken under the Administrative Procedure Code.

(6) The family members of a holder of EU Blue card may receive independent permit for long term residence under the conditions of Art. 55.

Art. 49. (1) (amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force from 28.07.2015) For receiving the right to residence for the purposes of highly qualified labour employment and issue of a permit for residence of the type “EU Blue card” under Art. 33l of the AFRB, the foreigner shall produce to Migration Directorate or to the RDMI a standard application under Annex N 3, which shall have attached:

1. a certified copy of the EU Blue card, issued by the first EU Member State;
2. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport, or replacing document with the pages of the photo, personal data, visa under Art. 15, Para. 1 of the AFRB – where applicable – and the stamp of the last entry in the country; for comparison of the authenticity of the copy, the original of the passport or the replacing document shall also be produced;
3. obligatory medical insurance, where the person has not been insured under the Act on Health Insurance.

(2) (amend. - SG, 110/2013, amend. - SG, 60/2014, in force from 22.07.2014) The services for administrative control of foreigners shall apply a copy of the written permit for exercising a highly qualified

employment, issued by the Employment Agency, which shall be produced to Migration Directorate officially.

(3) The application under Para. 1 shall be submitted not later than 14 days before expiry of the permitted term of the foreigner's residence on the territory of the Republic of Bulgaria. The application shall be examined and decided within the term of 14 days. IN case of a legal and factual complexity and need of production of additional documents or information, the term may be extended by 1 month, about which the foreigner shall be notified in writing, informing him that the needed documents or information shall be produced within 14 day term. In case that the additional documents or information are not produced within the set term, the procedure shall be terminated and the application shall not be subject to re-examination.

(4) The foreigner shall be notified in writing about the decision taken under the Administrative Procedure Code.

Art. 50. (1) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015) For receiving the right to residence of the family members of the holder of the EU Blue card under Art. 33l, Para. 4 of the AFRB, the family member shall submit to Migration Directorate or to the RDMI a standard application under Annex N 3, which shall have attached:

1. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport, or replacing document with the pages of the photo, personal data, visa under Art. 15, Para. 1 – where applicable – and the stamp of the last entry in the country; for comparison the authenticity of the copy, the original passport or the replacing document shall also be produced;

2. evidence that they have resided as family members of a holder of EU Blue card in the first EU Member State;

3. certified copy of the residence permit in the first EU Member State;

4. obligatory medical insurance, valid for the territory of the Republic of Bulgaria, where the person has not been insured under the Act on Health Insurance;

5. (amend. – SG, 51/17, in force from 27.06.2017) evidence for stable, regular, providable and sufficient funds for support, without referring to the social assistance system in the amount, not smaller than the minimal monthly work salary or the minimal pension for the country for the term of residence;

6. evidence for provided housing.

(2) The application for receiving the right to residence of the family members shall be submitted not later than 1 month after the entry on the territory of the Republic of Bulgaria.

(3) The application shall be examined and decided within the term of 14 days. In case of a legal and factual complexity and need of production of additional documents or information, the term may be extended by 1 month, about which the foreigner shall be notified in writing, informing him that the needed documents or information shall be produced within 14-day term. In case that the additional documents or information are not produced within the set term, the procedure shall be terminated and the application shall not be subject to re-examination.

(4) (Amend. – SG, 51/17, in force from 27.06.2017) The family members of the holder of EU Blue card shall be issued a permit for long term residence with validity term, corresponding to the term of residence of the holder of EU Blue card, as far as the validity term of the national passports, or replacing documents allows this.

(5) the foreigner shall be notified in writing about the decision taken under the Administrative Procedure Code.

(6) Where the family of the holder the EU Blue card has not gathered in the first EU Member State, Art. 12 shall apply.

Section III "a".

Residence of foreigners for the purposes of seasonal employment (new – SG 79/16, in force from 30.09.2016)

Art. 50a. (1) (new - SG 79/16, in force from 30.09.2016) (1) To obtain the right of residence for the purposes of seasonal employment and issuance of a permit to a seasonal worker with the right to permanent residence, the foreigner shall personally submit to the Migration Directorate or to Sofia Directorate of Interior/Regional Directorate of the Ministry of Interior (SDI/RDMI) an application in a standard form pursuant to annex 3, with attached thereto:

1. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport or replacing document with pages of the holder's photo, personal data, visa under art. 15, Para. 1 the AFRB, where required, and the stamp of the last entry into the country; for verification of the authenticity of the copy also the original of the passport, or the replacing document shall be presented; the period of validity of the passport, or the replacing document should cover at least the period of validity of the permit for the purposes of seasonal employment; it should have been issued during the last 10 years;

2. compulsory medical insurance, valid for the territory of the Republic of Bulgaria, when the person is not insured under the HIA;

3. a document for paid fee under art. 10, para. 3 of Tariff No. 4 for the fees, which are collected in the system of the Ministry of Interior according to the State Fees Act;

4. evidence of the insured accommodation.

(2) The authorities for administrative control of foreigners shall attach to the application a copy of the written decision for practicing of seasonal employment, issued by the Employment Agency, which shall be provided to the Migration Directorate ex officio.

(3) The application under par. 1 shall be filed within 7 days prior to the expiry of the period of residence of the foreigner in the territory of the country.

(4) The application under par. 1 shall be considered and decided within 7 days, in the event that all the required documents and information are submitted. In the event that the information or documents submitted in support of the application are insufficient, the competent authorities shall notify the applicant of the additionally required information and documents, and shall allocate a 14-day period for their submission. The time limit for the consideration of the application shall be suspended until the competent authorities receive the required additional information or documents. When additional information or documents are not submitted within the time limit, the proceeding shall be terminated and the application shall not be subject to re-consideration.

(5) Where the foreigner has worked minimum once in the territory of the Republic of Bulgaria as a seasonal worker, the application referred to in par. 1 shall be considered and decided within 5 days. In the event that the information or documents submitted in support of the application are insufficient, the competent authorities shall notify the applicant of the required additional information and documents, and allocate a 14-day period for their submission. The time limit for the consideration of the application shall be suspended until the competent authorities receive the required additional information or documents. When additional information or documents are not submitted within the time limit, the proceeding shall be terminated and the application shall not be subject to re-consideration.

(6) The foreigner must be notified in writing of the taken decision according to the provisions of the CAP.

(7) To a foreigner who has been granted the right of residence for the purposes of seasonal employment, a residence permit shall be issued in accordance with the requirements of Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OB, L 157 of 15 June 2001), where in the field "type of permit" it should be indicated "seasonal worker" and in the field "Notes" the condition for access to the labour market should be stated.

Section III "b".

Residence of foreigners for the purposes of intra-corporative transfer (new – SG 79/16, in force from 30.09.2016)

Art. 50b. (1) (new - SG 79/16, in force from 30.09.2016) (1) To obtain the right of residence for the

purposes of intra-corporate transfer and authorisation for a person reappointed within intra-corporate transfer with the right for long-term residence, the foreigner shall submit in person to the Migration Directorate – MoI or to SDI/RDMoI and application in a standard form according to annex 3, with attached thereto:

1. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport, or replacing document with pages with the holder's photo, personal data, visa under art. 15, para. 1 the AFRB, where required, and the stamp of the last entry into the country; for verification of the authenticity of the copy also the original of the passport or the replacing document shall be presented; the period of validity of the passport, or the replacing document should cover at least the period of validity of the permit for the purposes of the internal-corporate transfer; it should have been issued during the last 10 years;

2. compulsory medical insurance, valid for the territory of the Republic of Bulgaria, when the person is not insured under the HIA.

(2) The authorities for administrative control of foreigners shall attach to the application a copy of the written decision for intra-corporative transfer needs, issued by the Employment Agency, which shall be provided to the Migration Directorate ex officio.

(3) The application under par. 1 shall be filed within 14 days prior to the expiry of the period of residence of the foreigner in the territory of the country.

(4) The application under par. 1 shall be considered and decided within 14 days, in the event that all the required documents and information are submitted. In the event that the information or documents submitted in support of the application are insufficient, the competent authorities shall notify the applicant of the additionally required information and documents, and shall allocate a 14-day period for their submission. The time limit for the consideration of the application shall be suspended until the competent authorities receive the required additional information or documents. When additional information or documents are not submitted within the time limit, the proceeding shall be terminated and the application shall not be subject to re-consideration.

(5) The foreigner must be notified in writing of the taken decision according to the provisions of the CAP.

(6) To a foreigner who has been granted the right of residence for the purposes of intra-corporate transfer, a residence permit shall be issued in accordance with the requirements of Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OB, L 157 of 15 June 2001), where in the field "type of permit" it should be indicated "intra-corporate transfer".

Art. 50c. (1) (new - SG 79/16, in force from 30.09.2016) (1) To obtain the right of residence for the purposes of intra-corporate transfer and issuance of a permit to a person, transferred within intra-corporate transfer procedure, issued by a first Member State, with the right to permanent residence, the foreigner shall personally submit to the Migration Directorate or to Sofia Directorate of Interior/Regional Directorate of the Ministry of Interior (SDI/RDMI) an application in a standard form pursuant to annex 3, with attached thereto:

1. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport or replacing document with pages with the holder's photo, personal data, the stamp of the last entry into the country; for verification of the authenticity of the copy also the original of the passport, or the replacing document shall be presented; the period of validity of the passport, or the replacing document should cover at least the period of validity of the permit for the purposes of internal corporate transfer; it should have been issued during the last 10 years;

2. compulsory medical insurance, valid for the territory of the Republic of Bulgaria, when the person is not insured under the HIA;

3. the issued residence permit by the first Member State.

(2) The authorities for administrative control of foreigners shall attach to the application a copy of

the written decision for intra-corporate transfer purposes, issued by the Employment Agency, which shall be provided to the Migration Directorate ex officio.

(3) The application under par. 1 shall be filed within 7 days prior to the expiry of the period of residence of the foreigner in the territory of the country.

(4) The application under par. 1 shall be considered and decided within 7 days, in the event that all the required documents and information are submitted. In the event that the information or documents submitted in support of the application are insufficient, the competent authorities shall notify the applicant of the additionally required information and documents, and shall allocate a 14-day period for their submission. The time limit for the consideration of the application shall be suspended until the competent authorities receive the required additional information or documents. When additional information or documents are not submitted within the time limit, the proceeding shall be terminated and the application shall not be subject to re-consideration.

(5) The foreigner must be notified in writing of the taken decision according to the provisions of the CAP.

(6) To a foreigner who has been granted the right of residence for the purposes of intra-corporate transfer, a residence permit shall be issued in accordance with the requirements of Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (OB, L 157 of 15 June 2001), where in the field "type of permit" it should be indicated "mobile ICT" and in the field "Notes" the condition for access to the labour market should be stated.

(7) The Migration sectors and units within SDI/RDMoI shall notify without any delay the Migration Directorate of any issued permit for long-term mobility.

Art. 50d. (1) (new - SG 79/16, in force from 30.09.2016) (1) To extend the right of residence of family members of a holder of a permit to a person having been transferred within intra-corporate transfer procedure, the family member shall personally submit to the Migration Directorate or to RDMoI an application in a standard form pursuant to annex 3, with attached thereto:

1. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport, or replacing document with the pages with the holder's photo, personal data, visa under art. 15, para. 1 the AFRB, where required, and the stamp of the last entry into the country; for verification of the authenticity of the copy, also, the original of the passport, or the replacing document shall be presented;

2. (amend. – SG, 51/17, in force from 27.06.2017) a marriage certificate, or a birth certificate;

3. a proof of secured accommodation;

4. compulsory medical insurance, valid for the territory of the Republic of Bulgaria, when the person is not insured under the HIA;

5. (amend. – SG, 51/17, in force from 27.06.2017) proof of stable. Regular, providable and sufficient funds for their support, without needing to apply to the social support system, in an amount not less than the minimum monthly salary or the minimum pension in the country for the period of residence.

(2) To establish the facts and the circumstances under Art. 26, par. 4 of AFRB the authorities for administrative control of foreigners shall issue a justified opinion, which shall be attached to the application for the granting of the right of residence.

(3) (Amend. – SG, 51/17, in force from 27.06.2017) The family members of the holder of the permit, moved in internal-corporate transfer shall be issued a permit for long-term stay with validity term, in reference to the term of stay of the holder of the permit for internal-corporate transfer, as far as the validity term of the national passports or replacing documents allows this.

(4) The application under par. 1 shall be filed within 14 days prior to the expiry of the granted period of residence of the foreigner in the territory of Republic of Bulgaria. It shall be considered and decided within 14 days. In the event of legal and actual complication and a need to provide additional information or documents this term can be extended by one month, where the foreigner must be notified in writing, and they shall be advised that the required documents and information should be submitted within

14 days. In case of failure to submit the additional documents and information within the allocated term, the procedure shall be terminated and the application shall not be subject to re-consideration.

(5) The foreigner must be notified in writing of the taken decision according to the provisions of the CAP.

Section IV. Long-term Residence

Art. 51. (1) (amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force from 28.07.2015) For receiving the right to a long term residence, the foreigner shall submit in person a standard application under Annex N 6 to Migration Directorate, or to the RDMI.

(2) The foreigner shall attach to the application as follows:

1. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport or replacing document with the pages of the photo and the personal data; for comparison of the copy authenticity, the original of the passport or the replacing document shall also be produced;

2. (amend. – SG, 51/17, in force from 27.06.2017) evidence for stable, regular, providable and sufficient funds for support for a period, not smaller than 1 year, without referring the social assistance system, taking in consideration the minimal monthly work salary and pension for the Republic of Bulgaria;

3. obligatory medical insurance, valid for the territory of the Republic of Bulgaria, where the person has not been insured under the Act on Health Insurance;

4. evidence for provided housing;

5. (amend. - SG, 110/2013, revoked - SG 57/18, in force from 10.07.2018)

6. (new - SG, 110/2013) a copy of a decision for provided international protection by the State Agency for Refugees – in the cases under Art. 12d, Para. 4 of the AFRB.

(3) The services for administrative control of foreigner shall apply an official information from the MI information funds about the legal residence of the foreigner during the last 5 years on the territory of the Republic of Bulgaria.

(4) (Amend. And suppl. - SG, 110/2013, amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force from 28.07.2015) To the documents under Para. 2 the heads of the sectors/groups "Migration" at the RDMI shall attach officially an information from the MI information funds about non-termination of the foreigner's residence under Art. 24d, Para. 3 and 8 of the AFRB. For providing the right to a long term stay on the basis of international protection, an official information shall be attached from the State Agency for Refugees, certifying the date of submission of the application for international protection, and an official information from Bulgarian identity Documents Department of MI, certifying the date for issue of a Bulgarian identity document.

(5) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force from 28.07.2015) For provision the right to a long term residence, the heads of the sectors/groups "Migration" at the RDMI shall attach to the application a written opinion about the possibility the foreigner to acquire such a status.

(6) (New - SG, 110/2013, amend. - SG, 60/2014, in force from 22.07.2014) With providing the right to a long term residence of the foreigner, residing in the Republic of Bulgaria as holder of a permit for residence of a long term residing in EU on the basis of a provided international protection from another Member State, the services for administrative control of foreigners shall also attach to the submitted by the foreigner documents under Para. 2 a confirmation that the status of the international protection has not been withdrawn, provided by the State Agency for Refugees to the Migration Directorate officially.

(7) (New - SG, 110/2013, amend. - SG, 60/2014, in force from 22.07.2014) The State Agency for Refugees shall notify the Migration Directorate in the cases of transfer of responsibility for international protection from another Member State to the Republic of Bulgaria or from the Republic of Bulgaria to another Member State in view to change in the permit for residence of a long term residing person in EU, issued by the by the MI competent structures.

(8) ((New - SG, 110/2013) The changed permit shall be issued not later than 3 months form receiving the notification under Para. 7 under the terms and conditions of the Act on Bulgarian Personal Documents and the Rules for Issue of Bulgarian Personal Documents.

Art. 52. (1) (amend. - SG 81/17, in force from 01.01.2018) For providing the right to a long term residence of a holder of a EU Blue card, the foreigner shall apply to the application also the documents under Art. 51, Para. 2 and an official documents from an EU Member State/States, certifying his legal residence as holder of EU Blue card on its territory for the term, submitting the required total 5 year period.

(2) (amend. - SG 81/17, in force from 01.01.2018) The services for administrative control of foreigners shall apply ex officio a reference of legal residence of the foreigner during 2 years at least before submission of the application on the territory of the Republic of Bulgaria as a holder of an EU Blue card.

(3) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015) To the documents, the heads of the sectors/groups "Migration" at the RDMI shall attach officially information from the MI information funds on the foreigner's interminable residence on the territory of the Republic of Bulgaria under Art. 33m, Para. 2 of the AFRB. The interminable residence on the territory of other Member States shall be established on the basis of a produced by the foreigner official certifying document, issued by the competent bodies of these Member States.

(4) Para. 1 – 3 shall apply correspondingly to the person under Art. 24f of the AFRB, who are family members of a holder of EU Blue card.

Art. 53. (1) (amend. - SG 81/17, in force from 01.01.2018) The application for providing the right to a long term residence shall be submitted at least 2 months before expiry of the permitted term of residence of a foreigner in the country.

(2) (amend. - SG 81/17, in force from 01.01.2018) The application shall be examined and decided within the term of up to 2 months. In case of a legal and factual complexity and need of production of additional documents or information, the term may be extended by 2 months, for which the foreigner shall be notified in writing, by informing him that he shall have to provide the needed documents or information within 1 month term. In case that the additional documents or information are not provided within the set term, the procedure shall be terminated and the application shall not be subject to re-examination.

(3) The foreigner shall be notified in wring about the decision taken under the Administrative Procedure Code.

(4) In case of provision of the right to a long-term residence, the services of administrative control of foreigner s shall provide to the foreigner an information guide, containing explanations about the rights and obligations of the foreigner on the basis of the acquired right.

Art. 54. For extending the right to residence of the family members of a long term residing foreigner, the person shall submit a standard application under Annex N 3, which shall have attached:

1. (revoked - SG 57/18, in force from 10.07.2018)

2. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport, or replacing document with the pages of the photo and personal data; for comparison of the authenticity of the copy, the original of the passport or the replacing document shall also be produced;

3. evidence for a provided housing;

4. (amend. – SG, 51/17, in force from 27.06.2017) evidence for stable, regular, providable and sufficient funds for support, without referring to the social assistance system, in the amount of not smaller than the minimal monthly work salary or the minimal pension for the country;

5. (amend. – SG, 51/17, in force from 27.06.2017) a marriage certificate, or a birth certificate;

6. obligatory medical insurance, valid for the territory of the Republic of Bulgaria, where the person is not health insured under the Act on Health Insurance;

7. medical documents for presence of serious health reasons in the cases under Art. 2, Para. 4 of the AFRB.

Art. 55. For provision of the right to a long-term residence under Art. 24f, Para. 4 of the AFRB, the foreigner shall submit a standard application under Annex N 3, which shall have attached as follows:

1. a document for a paid state fee under Art. 10, Para. 3 of the Tariff N 4 on fees, collected in the MI system under the Act on State Fees;
2. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport or replacing document with the pages of the photo and personal data; for comparison of the authenticity of the copy, the original of the passport, or the replacing document abroad shall also be produced;
3. evidence for a provided housing;
4. (amend. – SG, 51/17, in force from 27.06.2017) evidence for stable, regular, providable and sufficient funds for support, without referring to the social assistance system, in the amount, not smaller than the minimal monthly work salary or the minimal pension for the country;
5. obligatory medical insurance, valid for the territory of the Republic of Bulgaria, where the person is not health insured under the Act on Health Insurance;
6. documents, certifying termination of the marriage and a birth certificate;
7. a certificate from a school in the national education system or from a higher school on the territory of the country.

Art. 56. (1) For renewing the right to a long term stay under Art. 24g of the AFRB, the foreigner shall submit a standard application under Annex N 6, which shall have attached:

1. a document for a paid state fee under Art. 10, Para. 3 of Tariff N 4 on fees, collected in the MI system under the Act on State Fees;
2. (amend. – SG, 51/17, in force from 27.06.2017) a copy of a valid passport or replacing document with the pages of the photo and personal data; for comparison of the authenticity of the copy, the original passport, or the replacing document shall also be produced;
3. evidence for provided housing;
4. (amend. – SG, 51/17, in force from 27.06.2017) evidence for stable, regular, providable and sufficient funds for support, without referring to the social assistance system, in the amount, not smaller than the minimal monthly work salary or the minimal pension for the country;
5. obligatory medical insurance, valid for the territory of the Republic of Bulgaria, where the person is not health insured under the Act on Health Insurance.

(2) The services for administrative control of foreigners shall attach an official information from the MI information funds for the legal residence of the foreigner during the last 3 years on the territory of the Republic of Bulgaria.

(3) The application shall be examined and decided under Art. 53.

Section V.

General Provisions on Provision of the Right to Residence

Art. 57. (1) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015) The director of Migration Directorate, the Directors of the RDMIs or officials authorized by them shall examine the foreigner's documents for provision of the right to residence after receiving a written opinion of the State Agency of National Security (SANS) under Art. 41, Para. 1, p. 2 of the Act on SANS.

(2) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force form 28.07.2015) The Directors of the RDMIs or officials authorized by them shall submit for examination and decision to the director of Migration Directorate the foreigner's documents for receiving the right to permanent or long term residence after receiving a written opinion from SANS under Art. 41, Para. 1, p. 2 of the Act on SANS.

Art. 58. (Suppl. - SG, 110/2013) After taking decision for provision of the right to residence by the competent body, the foreigner shall pay a state fee under the Tariff N 4 on fees, collected in the system of

the MI under the Act on State Fees according to the type of the provided right to residence. Not paid fee shall be a ground for termination of the procedure.

Art. 59. (Amend. – SG, 51/17, in force from 27.06.2017) Where the grounds for withdrawal of the right to residence under Art. 40, Para. 1, p. 6 of the AFRB, the residence in another Member State shall be proved by an official document, issued by a competent body of an EU Member State, border stamps for entrance and exit, documents for hotel accommodation, or other documents, which may evidence the stay in this EU Member State.

Art. 60. Foreigners, having received the right to a continued, long-term or permanent residence shall be issued residence documents under the conditions and procedure of the Act on the Bulgarian Personal Documents and the Rules for issue of Bulgarian personal documents, adopted by Council of Ministers Decree N 13 of 2010 (SG, 12/2010) after payment of state fees for issue of the documents under Tariff N 4 on fees, collected in the MI system, under the Act on State Fees.

Art. 61. Amend. – SG, 51/17, in force from 27.-6.2017) The passport or the replacing document of persons up to 6-year age shall be stamped for the permitted residence on the territory of the country.

Art. 62. (Amend. - SG 57/18, in force from 10.07.2018) (1) For the purpose of verifying facts and circumstances related to its legal status, the foreigner shall present the documents in original or notarized copies.

(2) If the foreigner cannot submit a birth certificate or a certificate of marriage, he shall present copies of the birth certificate, respectively of the certificate of marriage.

(3) The application for granting the right of residence of a minor shall be submitted by his parents or by his guardian or trustee. The application for a right of residence of a minor shall be filed by him in the presence of his parents, or by the trustee, who are to express their consent by placing their signature on the application. In the absence of a parent, guardian or trustee, a notary certified declaration of his consent shall be submitted. In the cases where one parent has died or is missing, or has been deprived of parental rights, the circumstances shall be certified by the respective documents.

(4) In the event where the foreigner submits a rental contract as proof of secured accommodation, he shall also apply a notarized declaration from the owner so as to provide a residence address.

Art. 63. The competent bodies, who take decision for provision of the right to residence, may require or check officially also other documents and circumstances, related to the legal status of the foreigner.

Chapter two "a".

PROVISION OF STATUS OF A STATELESS PERSON, PURSUANT TO THE CONVENTION RELATING TO STATUS OF STATELESS PERSONS, ADOPTED IN NEW YORK ON 28 SEPTEMBER 1954 (NEW – SG, 51/17, IN FORCE FROM 27.06.2017)

Art. 63a. (New – SG, 51/17, in force from 27.06.2017) Procedure for provision of status of a stateless person shall be opened with a personal submission of a written application according to a standard form under Annex N 61 in Migration Directorate or in Migration sectors and groups at RD of MI by a person, who wishes to be recognized as a stateless person.

(3) With submission of the application, the bodies under Para. 1 shall inform the applicant about his procedural rights and obligations, about the results from failure to observe his obligations under Art. 21f, p. 2 – 5 of the AFRB, while a protocol shall be drawn thereof. The protocol shall be signed by the applicant and by the official.

(3) The application shall be submitted before the bodies of Migration Directorate or Migration sectors and groups at RD of MI upon permanent or residence address.

(4) For minor persons, the application shall be submitted by their parents or guardians and for underage persons shall be signed by the parents or their guardians. The application shall be submitted only by one of the parents, when the other has been deprived of parental rights.

Art. 63b. (New – SG, 51/17, in force from 27.06.2017) (1) After the application has been submitted, the Migration Directorate, or Migration sectors and groups at RD of MI shall conduct an interview, where they notify the applicant in writing about the date, place and time of the interview. For minor persons, the interview shall be conducted with their parents or guardians. While conducting the interview with underage persons, they shall be accompanied by the parents or their guardians.

(2) During the interview, the Migration Directorate or Migration sectors and groups at RD of MI shall enter in a protocol the following circumstances:

1. data about the personality of the applicant (full name, former full name, former citizenship, sex and date of birth, family name of the mother before marriage);
2. data about the available identity documents and travelling (type and N of the document, validity term. Place and date of issue, name of the issuing body);
3. marital status, place of conducting the marriage;
4. profession and education;
5. place of residence in the country of usual residence;
6. permanent address/address of residence in the Republic of Bulgaria.

(3) The protocol of the interview shall be read to the applicant and shall be signed by the applicant and the officials, having conducted the interview. For minor persons, the protocol shall be signed by their parents and guardians, and for underage persons, it shall be signed by their parents or guardians. In cases of unaccompanied underage and minor persons, the protocol shall be signed under Art. 15, Para. 7 of the Child Protection Act.

Art. 63c. (New – SG, 51/17, in force from 27.06.2017) Migration Directorate may conduct additional interviews with the applicant for receiving status of a stateless person, while they shall inform the applicant about the date, place and time of the interview.

Art. 63d. (New – SG, 51/17, in force from 27.06.2017) (1) During the procedure in relation or finding lack of citizenship, the applicant must prove or define his situation of a stateless person, more especially, in relation to:

1. his place of birth;
2. former place of residence;
3. citizenship of his family members and parents.

(2) The application shall have attached a birth certificate, official documents, establishing the circumstances under Para. 1 and a document for his legal stay on the territory of the Republic of Bulgaria.

(3) Migration Directorate may require additional information from other state structures in view to clarifying the circumstances for possibility of provision of statute of a stateless person.

Art. 63e. (New – SG, 51/17, in force from 27.06.2017) (1) Migration Directorate at Migration sectors and groups at RD of MI, after conducting the interview shall provide the file to National Security State Agency or to the relevant territorial National Security Directorates. The National Security State Agency shall provide their opinion in writing within the term of 30 working days.

(2) For clarifying the facts and circumstances in relation to the procedure of provision of statute of a stateless person, the Migration Directorate, or Migration sectors and groups of RD of MI, after conducting the interview may provide a copy of the file to the Ministry of Foreign Affairs for giving administrative assistance. The Ministry of Foreign Affairs shall provide the required information in the term of 45 days.

(3) Migration Directorate may require in writing from the Ministry of Justice information about the citizenship of the person under Art. 40, Para. 1, p.2 of the Bulgarian Citizenship Act, which shall be provided within 15-day term.

Art. 63f. (New – SG, 51/17, in force from 27.06.2017) (1) The director of Migration Directorate shall provide status of a stateless person, terminate, stop, renew or refuse its provision by a decision, about which the applicant shall be informed in writing.

(2) By an explicit written application, the foreigner may withdraw the submitted application for provision of status of a stateless person.

(3) The decision shall be issued in the term of up to 6 months form the submission of the application, where in case of legal and/or factual complexity, the term may be extended by 2 more months.

(4) Where by the decision a status of a stateless person is provided to an unaccompanied underage or minor person, the decision of the procedure shall be provided also to the competent body of guardianship under permanent address, temporary residence or placement.

Art. 63g. (New – SG, 51/17, in force from 27.06.2017) (1) The Supreme commissioner of the UNO for Refugees through their representative in the Republic of Bulgaria shall have the right to information, as well as access to each of the stages of the procedure for provision of “status of a stateless person”.

(2) The Supreme commissioner of the UNO for Refugees shall have the right to attend at the interviews, conducted with the applicant.

Art. 63h. (New – SG, 51/17, in force from 27.06.2017) Copies of the foreign documents of the applicant, certifying his identity, his traveling documents as well as any other documents with data, related to the text in the application shall be attached to it for its examination. The documents, produced by the interested persons, depending on the foreign state, from which they originate, must meet the requirements of the relevant provision of the bilateral international agreements or the Hague Convention Abolishing the Requirement of Legalisation for Foreign Public Documents, established in Hague on 5 October 1961, to which the Republic of Bulgaria is a party or to the Rules for legalization, certification and translation of documents and other books (SG, 73/58), as well as they shall be accompanied by the translations in the Bulgarian language, which shall be made and certified under the provided procedure.

Art. 63i. (New – SG, 51/17, in force from 27.06.2017). A foreigner with provided status of a stateless person from another state, residing permanently or long-term in the Republic of Bulgaria may be issued the document: “certificate for traveling abroad of a stateless person”, where with the application under Annex N 3 of the Rules for issuance of Bulgarian personal documents also other documents are produced, proving insurmountable reasons the document to be renewed by the state, which has issued it initially. As documents, proving insurmountable reasons, the foreigner shall produce official documents, issued by the relevant diplomatic or consular representation of the state, which has provided to him “status of a stateless person”.

Chapter two "b".

PROCEEDINGS FOR UNACCOMPANIED CHILDREN-FOREIGN NATIONALS (NEW - SG 57 OF 2018, IN FORCE FROM 10.07.2018)

Art. 63j. (New - SG 57/18, in force from 10.07.2018) (1) The police authority, having found an unaccompanied child who is a foreign national, shall report this to the Social Assistance Directorate (SAD) as per the place of residence of the child, and shall immediately send it on with a Directorate’s official in order to be placed in care urgently due to the existence of danger to the life and health of the child. In order to send the child on, the following shall be prepared:

1. a template-notification letter according to Annex 6b;
2. medical and other available documents;
3. a Protocol of acceptance according to the model in Annex № 6c.

(2) Where establishing the fact under Para. 1 has occurred during the weekend and on holidays, the police authority shall inform the Social Assistance Directorate of immediate joint action to provide police

protection and accommodation as social service of residential type, or a specialized institution within the territory of the SAD. When handing over the child for placement, besides the documents under Para. 1, item 1 and 2, a protocol of acceptance shall also be prepared pursuant to the Ordinance issued on the grounds of Art. 43 of the Child Protection Act.

(3) Where it is established that an unaccompanied child-foreign national has been placed in the special homes for the temporary accommodation of foreigners, the authorities of the Migration Directorate shall inform the SAD at the place of the child's residence, and shall immediately transfer the child to an official of the Directorate. For the transfer shall be prepared the following:

1. a template-notification letter under Para. 1, item 1;
2. an ambulatory sheet for medical examination conducted;
3. a copy of the orders for enforcement of compulsory and precautionary administrative measures;
4. copies of other relevant documents enclosed in the personal file of the child-foreign national;
5. an Acceptance Protocol according to the model in Annex № 6c.

(4) Where the unaccompanied child-foreign national declares a wish to have international protection in the Republic of Bulgaria granted to it, upon registration of the application by the authority which has found the child, it shall be sent with the documents under Para. 1 to the Head of the Registration and Acceptance Center of the State Agency for Refugees (SAR), or to a person authorized by him.

(5) Where the unaccompanied child-foreign national has not submitted an application for international protection, within 7 working days from its placement – as per the order for emergency accommodation outside the family - or for placement in a social service of residential type, or in a specialized institution, the authorities of the Migration Directorate or sectors/groups "Migration" at the RD of the Ministry of Interior shall conduct an interview with the child.

(6) When conducting the interview under Para. 5, facts and circumstances regarding the whereabouts of the parents or other persons responsible for the child under the law or custom, as well as any other relevant data related to the situation and the will of the child, shall be established. The Social Assistance Directorate shall appoint a Representative of the child who is to be present at the interview and to express opinion and, if not capable, provide a report within 10 days.

(7) The unaccompanied child-foreign national, during the interview under Para. 5, shall be entitled to an interpreter from a language it understands, as well as to legal aid, in case of imposing a compulsory or precautionary administrative measure. The provision of legal aid shall be organized by the representative of the Social Assistance Directorate and is to be provided by the order of the Legal Aid Act.

(8) For the interview conducted under Para. 5, a protocol shall be drawn up, signed by the interviewer, by the child-foreign national when he is 14 years old, and by the representative from the Social Assistance Directorate.

Chapter three.

LEAVING THE REPUBLIC OF BULGARIA BY FOREIGNERS

Art. 64. (Amend. – SG, 51/17, in force from 27.06.2017) A foreigner may leave the Republic of Bulgaria through a Border check point with a valid passport or replacing document with which he has entered the country or another replacing document, within the frames of his permitted term of residence, apart from the cases of imposed and enforced prohibitions under Art. 43 of the AFRB and Art. 68 of the Penal – Procedure Code.

Art. 65. (1) (Suppl. - SG, 110/2013, amend. – SG, 51/17, in force from 27.06.2017) Any foreigner, whose passport or replacing document has been lost or destroyed or has expired its validity, may leave the country after issue of a valid passport or replacing document, or a return document from the diplomatic or counselor representation of the country, whose national he is. The foreigner shall be obliged to inform about the newly issued document the services for administrative control of foreigners, who have issued a certificate for this.

(2) The needed documents of a person without nationalship for leaving the Republic of Bulgaria in the cases under Para. 1 shall be issued by the diplomatic or counselor representation of the country, in which the person is permanent or habitual resident.

Art. 66. (Amend. - SG, 110/2013) Counselor Relations Directorate of the Ministry of Foreign Affairs shall issue a temporary certificate for leaving the Republic of Bulgaria where the state whose national the foreigner is has not diplomatic or counselor representation in the Republic of Bulgaria or they refuse to issue the relevant document.

Art. 67. The foreigner shall be provided systematically information about his rights and obligations and about the existing possibilities for contact with national, international and non-governmental organizations and bodies and for inclusion in a programme for assisted voluntary return.

Chapter four.

COMPULSORY ADMINISTRATIVE MEASURES

Art. 68. (1) (Amend. and suppl. - SG, 41/2013, suppl. - SG 57/18, in force from 10.07.2018) The bodies under Art. 44, Para. 1 of the AFRB may not issue an order for imposing compulsory administrative measure under Art. 39a, Para. 1, p. 2 and 3 of the AFRB, where the relevant foreigner is accepted by another EU Member State, on the basis of bilateral readmission agreements or arrangements which are in force on the date of entry in force of Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ, L 348, 24.12.2008, p. 98 - 107), or where there is an issued permit for stay or other permit, giving the right to stay in another EU Member State.

(2) The bodies under Art. 44, Para. 1 of the AFRB may repeal or stop fulfillment of an administrative measure – ban for entry in the cases where the foreigner proves that he has left the territory of the Republic of Bulgaria in compliance with the term provided to him for voluntary leaving.

Art. 69. (1) (Amend. – SG, 51/17, in force from 27.06.2017) Where the foreigner has been deprived, or refused the right to stay in the Republic of Bulgaria or in relation to the foreigner there is an enforced decision or refusal, termination or withdrawal of an international protection or of asylum, or in relation to whom the procedure under the Asylum and Refugees Act has been terminated with an enforced decision, unless the termination has been ordered to a foreigner, for whom there is a decision for return acceptance in the Republic of Bulgaria and the procedure has not been renewed, in the passport or the replacing document a stamp shall be placed by the services for administrative control of foreigners, in which the term for leaving the Republic of Bulgaria shall be remarked.

(2) (Amend. - SG, 60/2014 in force from 22.07.2014, amend. – SG, 51/17, in force from 27.06.2017, suppl. - SG 57/18, in force from 10.07.18) Where an order for compulsory administrative measures has been issued under Art. 41, 42, 42a or 42h of the AFRB, in the passport or the replacing document a stamp shall be placed by the bodies of Migration Directorate for an imposed compulsory administrative measure. In enforcing the compulsory administrative measures by the border control authorities, no stamps shall be applied.

(3) Where withdrawal of a status of a long-term stay does not lead to expulsion, the relevant person shall be permitted to stay on the territory of the Republic of Bulgaria if he meets some of the grounds, giving the right to stay under AFRB and if he is not a threat for public order and national security.

Art. 70. (Amend. – SG, 51/17, in force from 27.06.2017) Any foreigner, who has been deprived of the right to stay under Art. 40, Para. 1, p. 2 in relation to Art. 10, Para. 1, p. 8 of the AFRB and has left the country in the term, set in the order, he shall be returned to the country of origin, the country of transit passing or a third country under Art. 41 of the AFRB. By the time the foreigner is removed from the country, he shall be placed in a special medical establishment for hospital care.

Art. 71. (1) (Former text of Art. 71 - SG, N 41/2013, amend. - SG 57/18, in force from 10.07.2018) Where a foreigner with an imposed compulsory administrative measure under Art. 41, 42 or 42a of the AFRB is removed out of the Republic of Bulgaria by air transport, he shall be accompanied by certain officials from the services for administrative control of foreigners or other competent MI structures to the country of origin, a transit country or a third country.

(2) (New - SG, 41/2013) During each removal out of the country by air transport, the general instructions shall be observed about the security measures in joint operations for removal by air transport, applied to 2004/573/EC: Council Decision of 29 April 2004 on the organisation of joint flights for removals from the territory of two or more Member States, of third-country nationals who are subjects of individual removal orders (OJ, L 261, 6.08.2004 p. 44 - 51).

Art. 72. (1) (Amend. - SG 57/18, in force from 10.07.2018) When imposing a security measure under Art. 44, Para. 5, item 1 of the Foreigners in the Republic of Bulgaria Act, in the order shall be indicated the existing obstacles for the foreigner to leave the country immediately, the populated place, the address of stay of the foreigner and the time, at which he must appear at the duty unit on the territory of the MI structure.

(2) (Amend. - SG 57/18, in force from 10.07.2018) A copy of the order under Para. 1 shall be sent to the relevant territorial office of the Ministry of Interior at the foreigner's place of residence to be executed.

(3) Appearance of the foreigner shall be expressed in a special register in the duty unit against the foreigner's signature.

(4) The address of stay of the foreigners shall be indicated in writing, filling in a standard address card under Annex N 1.

(5) (New - SG, 110/2013, amend. and suppl. – SG, 51/17, in force from 27.06.2017, amend. - SG 57/18, in force from 10.07.2018) Any person, who provides address of stay of a foreigner with an imposed compulsory administrative measure, shall produce a standard declaration under Annex N 7 with notary certified signature and contents, made at the same time and shall provide evidence for sufficient funds for support of the illegally staying in the amount, not smaller than the minimum wage for the country. Where the person providing address of residence is not the owner of the home, a notary certified declaration shall be produced according to standard form under Annex N 7a for agreement by the owner/s, the concrete foreigner to be accommodated at the address. In case of any change in the declared circumstances, the competent administrative body which has imposed the security measure under Art. 44, Para. 5, item 1 of the Foreigners in the Republic of Bulgaria Act shall be notified immediately.

Art. 72a. (New - SG 57/18, in force from 10.07.2018) (1) Upon the expiration of the maximum term for compulsory placement of foreigners in special temporary accommodation under Art. 44, Para. 8 of the Foreigners in the Republic of Bulgaria Act, or when an administrative court has revoked the order for compulsory accommodation or has determined release, the authority having issued the order for enforcement of the compulsory administrative measure, or the Director of the Migration Directorate, may determine a precautionary measure under Art. 44, Para. 5 of the Foreigners in the Republic of Bulgaria Act, upon assessment of the individual circumstances and presence of the relevant prerequisites.

(2) In the cases under Para. 1, where the foreigner resides in a place of accommodation pursuant to the Tourism Act, the requirements of Art. 72, Para. 5 shall not apply. The foreigner shall provide an address card or another supporting document as proof of his accommodation.

Art. 72b. (New - SG 57/18, in force from 10.07.2018) (1) When imposing a security measure under Art. 44, Para. 5, item 2 of the Foreigners in the Republic of Bulgaria Act, in the order shall be determined the amount of a monetary guarantee from BGN 500 to 5 000, having considered the expenses for execution of the return or expulsion of the foreigner, upon assessment of the individual circumstances. The order shall state the bank account number on which the guarantee is to be lodged, and the bank account number to be

released. The account on which the guarantee is released shall be stated in writing by the foreigner.

(2) The determined security shall be deposited within 3 days from the service of the order in the bank account specified by the authority which has imposed the security measure.

(3) The guarantee shall be released by the authority which has imposed the security measure within 10 days into a bank account specified by the foreigner after:

1. receipt of evidence for enforcement of the imposed compulsory administrative measure;

2. revocation of the imposed security measure under Art. 44, Para. 5, item 2 of the Foreigners in the Republic of Bulgaria Act;

3. revocation of the imposed compulsory administrative measure.

(4) The guarantee shall remain in favor of the State when:

1. the foreigner fails to fulfill the conditions imposed on him by another security measure under Art. 44, Para. 5 of the Foreigners in the Republic of Bulgaria Act;

2. the account specified by the foreigner is not active or has expired one year after the reason for reimbursement of the guarantee arises;

3. the foreigner attempts or leaves the territory of the Republic of Bulgaria not in the legally established manner.

(5) The authority which has imposed the security measure under Art. 44, Para. 5, item 2 of the Foreigners in the Republic of Bulgaria Act shall issue a decision establishing the presence of the circumstances under Para. 4 and shall determine that the amount of the guarantee is not refundable. The decision may be appealed under the procedure of the APC.

(6) Any and all bank charges related to the servicing of the guarantee, including its recovery, shall be borne by the foreigner.

Art. 72c. (New - SG 57/18, in force from 10.07.2018) (1) In the cases of forced placement of any foreigner in special temporary accommodation for foreigners, the competent authority under Art. 44, Para. 1 of the Foreigners in the Republic of Bulgaria Act having imposed the compulsory administrative measure, or the Director of the Migration Directorate, in the cases after the expiry of the initial term of the placement, may impose a security measure under Art. 44, Para. 5 of the Foreigners in the Republic of Bulgaria Act.

(2) When imposing a security measure under Art. 44, Para. 5, item 2 of the Foreigners in the Republic of Bulgaria Act, the foreigner shall be released from the special temporary accommodation for foreigners after payment of the amount under the guarantee.

Art. 72d. (New - SG 57/18, in force from 10.07.2018) (1) When imposing a security measure under Art. 44, Para. 5, item 3 of the Foreigners in the Republic of Bulgaria Act, the order shall state the type, the number, the date of issue and the date of validity of the passport presented by the foreigner, or another valid document for travelling abroad.

(2) Before issuing the order under Para. 1, the foreigner shall present the document for inspection, for which a protocol for voluntary handing over is to be drawn up.

(3) A receipt shall be drawn up for the return of the passport or other travel document provided.

Art. 73. (1) Where the expulsion under Art/ 42a of the AFRB cannot be carried out on the foreigner's expense, the MI bodies shall notify the competent bodies of the other EU Member State, issued the permit for expulsion about the financial imbalances, made in relation to its fulfillment, while observing the conditions and procedure of Decision 2004/191/EC: Council Decision of 23 February 2004 setting out the criteria and practical arrangements for the compensation of the financial imbalances resulting from the application of Directive 2001/40/EC on the mutual recognition of decisions on the expulsion of third-country nationals (OJ, L 60 of 27.02.2004, p. 55 - 57, a special Bulgarian edition).

(2) (amend. - SG, 110/2013) In case of request for assistance under Art. 47a of the AFRB, the MI bodies shall submit to the competent bodies of another EU Member State a written standard request under Annex N 8.

Art. 74. (1) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. – SG, 51/17, in force from 27.06.2017, suppl. - SG 57/18, in force from 10.07.2018) Where a foreigner with an imposed compulsory administrative measure under Art. 41 or 42 of the AFRB, has no passport or replacing document, the bodies of Migration Directorate shall provide him with such a document through the relevant diplomatic or counselor representation of the state, whose national the foreigner is, and in case of impossibility – through Counselor Relations Directorate of the Ministry of Foreign Affairs. Where there is a readmission agreement, if the foreigner does not meet or no longer meets the conditions for entry and stay on the territory of the Republic of Bulgaria, and possesses no valid travel document, the authorities of the General Directorate Border Police shall supply the foreigner with such document through the competent authorities of third countries under the terms of the agreement.

(2) (Amend. - SG, 60/2014, in force from 22.07.2014) The bodies of Migration Directorate shall provide the traveling tickets for removal of a foreigner with an issued order under Art. 41 or 42 of the AFRB, including where the foreigner leaves voluntarily the country, but has no possibility of provide them with own funds.

(3) (Amend. - SG, 60/2014, in force from 22.07.2014) During implementation of the compulsory administrative measures under Art. 41 or 42 of the AFRB towards a foreigner, who is a serious threat for the public order, national security, life and health of other person, the foreigner shall be accompanied by officials from the Migration Directorate, the MI Border Police Chief Directorate, or other competent MI structures.

(4) (Amend. - SG, 60/2014, in force from 22.07.2014, amend. – SG, 51/17, in force from 27.06.2017) During the accompanying and transmission of the foreigner, subject to returning and expulsion from the country, the security measures shall be observed and facilities shall be applied under Art. 85 of the Ministry of Interior Act.

Art. 74a. (New - SG 57/18, in force from 10.07.2018) (1) Where an illegally residing foreigner cannot be provided with a document under Art. 74, Para. 1 and the compulsory administrative measure under Art. 41 of the Foreigners in the Republic of Bulgaria Act must be carried out, the authorities of the Migration Directorate may issue a European Travel Document as required by Regulation (EU) 2016/1953 of the European Parliament and of the Council of 26 October 2016 on the validation of a European Travel Document for the return of illegally staying third-country nationals, and repealing the Council Recommendation of 30 November 1994 (OJ, L 311/13 of 17 November 2016). The General Directorate Border Police authorities shall issue a European Travel Document subject to a readmission agreement.

(2) The document under Para. 1 may be issued only if it has been recognized by the state, in which the foreigner is to be returned.

Art. 75. (1) (Amend. – SG, 51/17, in force from 27.06.2017, amend. - SG 57/18, in force from 10.07.2018) During returning or expulsion of a foreigner, the officials of the administrative control services for foreigners shall hand over the foreigner's passport or substitute document to the Head of the shift of the border checkpoint, the travelling tickets, a copy of the order for imposed compulsory administrative measure and the protocol in 2 copies. The protocol shall be signed by the accompanying and accepting officials, who shall each keep one copy of it.

(2) In the cases under Para. 1 the foreigner's data shall be registered in the relevant MI information funds.

Art. 76. (1) (Former text of Art. 76 - SG, 110/2013, revoked - SG 57/18, in force from 10.07.2018)

(2) (New - SG, 110/2013, amend. - SG, 60/2014, in force from 22.07.2014) The procedure for carrying out monthly official checks under Art. 44, Para. 8 of the AFRB shall be determined by an order of the director of Migration Directorate, in coordination with the heads of structures under Art. 44, Para. 1 of the AFRB.

Art. 77. (New – SG, 51/17, in force from 27.06.2017) (1) The term of a short-term placement under

Art. 44, Para. 13 of the AFRB shall not be accounted in calculation of the total admissible term for compulsory placement of a foreigner for the purposes of returning and expulsion.

(2) (Revoked - SG 57/18, in force from 10.07.2018)

(3) (Revoked - SG 57/18, in force from 10.07.2018)

Additional provisions

§ 1. (Amend. - SG, 60/2014, in force from 22.07.2014, amend. - SG 57/15, in force from 28.07.2015) "Services for administrative control of foreigners" are the Migration Directorate and sectors/groups "Migration" at the RDMI.

§ 2. (Amend. - SG 57/18, in force from 10.07.2018) Within the meaning of the Rules:

1. "Unaccompanied" shall be a minor or underage foreigner staying on the territory of the Republic of Bulgaria and not accompanied by his parent or other adult, responsible for him by virtue of the Bulgarian law or custom.

2. "Persons responsible by virtue of the law" for unaccompanied minors or underage foreigners beside the parents shall be the guardians or trustees designated or appointed by an act of a competent authority as per the law of the country concerned.

3. "Persons responsible by virtue of custom" for unaccompanied minors or underage foreigners shall be adult relatives in the ascending line without any limitation in grades, as well as adult relatives in the collateral line up to the third degree inclusive.

§ 3. (Amend. - SG, 110/2013) "Stay without termination" under Art. 36, Para. 2, Art. 38, 38a and Art. 42, Para. 2 is present, where the foreigner stays legally under a visa, under international agreements or on the cases of an act of the Council of Ministers for a visa regime or relieved visa regime or after permit of the Migration Directorate bodies of MI, if the permits have been issued successively, without terminations between them. Period of up to 7 days shall not be considered as termination, during which there were urgent reasons, put the foreigner in impossibility to file documents for issue of a permit for long term stay and he has not left the territory of the Republic of Bulgaria.

§ 4. All the documents in a foreign language, produced by foreigners for certification of facts and circumstances under their legal status shall be translated and certified under a procedure, provided by a Council of Ministers act.

Transitional and concluding provisions

§ 5. The Rules shall be adopted under § 5 of the Transitional and Final Provision of the Act on Foreigners in the Republic of Bulgaria.

§ 6. Foreigners, received the right to stay under Art. 24, Para. 1, p. 11 of the AFRB (repealed), the right to stay may be extended under Art. 11, Para. 4 if they meet some of the reasons for stay under AFRB.

§ 7. The implementation of the Rules shall be assigned to the Minister of Interior, to the Minister of Foreign Affairs and the Minister of Labour and Social Policy.

Transitional and concluding provisions

TO DECREE N 142 OF 8 JULY 2013 ON ADOPTION OF RULES OF PROCEDURE OF THE MINISTRY OF YOUTH AND SPORT

(PUBL. - SG, N62 OF 2013, IN FORCE FROM 03.07.2013)

§ 91. The Decree shall come into force from 3 July 2013.

Transitional and concluding provisions
TO DECREE N 207 OF 18 JULY 2014 ON ADOPTION OF RULES OF PROCEDURE OF THE
MINISTRY OF INTERIOR

(PUBL. - SG, N 60 OF 2014, IN FORCE FROM 22.07.2014)

§ 44. The Decree shall come into force from the day of its publication in the State Gazette.

Transitional and concluding provisions
TO DECREE N 209 OF 21 JULY 2014 AMENDING AND SUPPLEMENTING THE RULES ON
APPLICATION OF THE ACT ON FOREIGNERS IN THE REPUBLIC OF BULGARIA,
ADOPTED BY COUNCIL OF MINISTERS DECREE N 179 OF 2011

(PUBL. - SG, N 61 OF 2014, IN FORCE FROM 25.07.2014)

§ 3. The Decree shall also apply to applications, filed before its enforcement.

§ 4. The Decree shall come into force from the day of its publication in the State Gazette.

DECREE № 128 OF MAY 26, 2015 ON AMENDING AND SUPPLEMENTING THE
REGULATIONS OF THE COUNCIL OF MINISTERS

(PROM. - SG 40 OF 2015)

§ 26. In the Rules On Application Of The Foreigners In The Republic Of Bulgaria Act, adopted with Decree № 179 of the Council of Ministers of 2011 (prom. SG 51 of 2011; amend. and suppl., SG 41, 62 and 110 of 2013 and SG 60 and 61 of 2014), the following amendments shall be made:

.....

2. Everywhere the words "the Ministry of Economy and Energy" shall be replaced by "the Ministry of Economy".

Concluding provisions
TO DECREE № 191 OF JULY 22, 2015 ON AMENDING AND SUPPLEMENTING THE
REGULATIONS OF THE COUNCIL OF MINISTERS

(PROM. - SG 57/15, IN FORCE FORM 28.07.2015)

§ 32. This Decree shall enter into force on the day of its promulgation in the State Gazette.

Transitional and concluding provisions
TO DECREE № 255 OF SEPTEMBER 29, 2016 ON THE ADOPTION OF A REGULATION FOR
THE APPLICATION OF THE LABOUR MIGRATION AND LABOUR MOBILITY ACT

(PROM. – SG 79/16, IN FORCE FROM 30.09.2016)

§ 4. This Decree shall enter into force on September 30, 2016, except for Section VI of Chapter Two of the Regulation for the application of the Labour Migration and Labour Mobility Act, which shall become effective from January 1, 2017.

DECREE N 122 OF 23 JUNE 2017, AMENDING AND SUPPLEMENTING THE RULES FOR
IMPLEMENTATION OF THE ACT ON FOREIGNERS IN THE REPUBLIC OF BULGARIA,
ADOPTED BY COUNCIL OF MINISTERS DECREE N 179 OF 2011

(PUBL. – SG, 51/17, IN FORCE FROM 27.06.2017)

§ 16. Everywhere in the Rules the words: “document for travelling abroad” shall be replaced by: “passport or replacing document”, the words: “civil marriage” shall be replaced by: “marriage” and the words: “evidence for sufficient support funds” shall be replaced by : “evidence for stable, regular, providable and sufficient support funds”.

Concluding provisions

TO DECREE N 122 OF 23 JUNE 2017, AMENDING AND SUPPLEMENTING RULES FOR IMPLEMENTATION OF THE AFRB, ADOPTED BY COUNCIL OF MINISTERS DECREE N 179 OF 2011

(PUBL. – SG 51/17, IN FORCE FROM 27.06.2017)

§ 20. The Decree shall come into force from the day of its publication in the State Gazette.

Transitional and concluding provisions

TO DECREE N 221 OF 5 OCTOBER 2017, AMENDING AND SUPPLEMENTING RULES FOR IMPLEMENTATION OF THE AFRB, ADOPTED BY COUNCIL OF MINISTERS DECREE N 179 OF 2011

(PROM. SG 81/17, IN FORCE FROM 01.01.2018)

§ 18. Started proceedings on providing of a permit for extended, long-term or permanent residence of foreigners on the territory of the Republic of Bulgaria until the entering into force of the Decree shall be finished under the current procedure.

§ 19. The Decree shall enter into force on 1 January 2018, with the exception of § 11, which shall enter into force upon the creation of a technical opportunity to obtain information ex officio.

Transitional and concluding provisions

TO DECREE № 129 OF 5 JULY 2018 ON AMENDING AND SUPPLEMENTING THE RULES ON THE IMPLEMENTATION OF THE FOREIGNERS IN THE REPUBLIC OF BULGARIA ACT, ADOPTED BY REGULATION № 179 OF THE COUNCIL OF MINISTERS OF 2011

(PROM. - SG 57/18, IN FORCE FROM 10.07.2018)

§ 33. The Decree shall enter into force on the day of its promulgation in the State Gazette.