

Foreigners in the Republic of Bulgaria Act

Promulgated, State Gazette No. 153/23.12.1998, amended, SG No. 70/6.08.1999, effective 1.01.2000, amended and supplemented, SG No. 42/27.04.2001, effective 27.04.2001, SG No. 112/29.12.2001, effective 1.01.2002, amended, SG No. 45/30.04.2002, effective 30.04.2002, SG No. 54/31.05.2002, effective 1.12.2002, amended and supplemented, SG No. 37/22.04.2003, SG No. 103/25.11.2003, effective 26.02.2004, amended, SG No. 37/4.05.2004, effective 4.08.2004, SG No. 70/10.08.2004, effective 1.01.2005, amended and supplemented, SG No. 11/1.02.2005, SG No. 63/2.08.2005, amended, SG No. 88/4.11.2005, SG No. 30/11.04.2006, effective 12.07.2006

Chapter I

GENERAL PROVISIONS

Article 1

This Act shall set forth the terms and procedures whereunder foreigners shall be allowed to enter, reside in and leave the Republic of Bulgaria, as well as their rights and obligations.

Article 2

(1) A foreigner for the purposes of this Act shall be any person who is not a Bulgarian citizen.

(2) (Amended, SG No. 42/2001) A foreigner shall be also a person having no effective citizenship in any state under the applicable national laws and holding an official document certifying his quality of statelessness.

Article 3

(1) Foreigners in the Republic of Bulgaria shall have any and all rights and obligations under the laws of Bulgaria and all ratified international treaties to which the Republic of Bulgaria is a signatory, excepting those rights and obligations expressly requiring Bulgarian citizenship.

(2) Applicable with regard to foreigners enjoying diplomatic or consular immunities and privileges shall be also the universally accepted norms of international diplomatic and consular law, as well as all ratified international treaties to which the Republic of Bulgaria is a signatory.

Article 4

Foreigners staying in the Republic of Bulgaria shall be obliged to abide by the laws and the established legal order, to be loyal to the Bulgarian state and to not derogate from the prestige and dignity of the Bulgarian nation.

Article 5

Foreigners working in the Republic of Bulgaria under a work permit duly granted by a competent authority, shall have the rights and obligations of Bulgarian citizens insofar as the international treaties whereto the Republic of Bulgaria is a signatory do not provide otherwise.

Article 6

Foreigners staying in the Republic of Bulgaria shall be amenable to the same civil, administrative and criminal laws as Bulgarian citizens, inasmuch as a special law or an international convention whereto the Republic of Bulgaria is a signatory do not provide otherwise.

Article 7

(Amended, SG No. 54/2002) The status of foreigners, seeking or having received protection, shall be governed by a special statute.

Chapter II

ENTRY OF FOREIGNERS INTO THE REPUBLIC OF BULGARIA

Article 8

(1) Foreigners shall be allowed to enter the Republic of Bulgaria provided they hold a valid foreign-travel document, or another substitute document, as well as an entry, stay or transit visa for this country in any case where such visa is required.

(2) No visas shall be required when there exists an agreement between the Republic of Bulgaria and the country whose national the concerned foreigner is, or if there exists an enactment of the Council of Ministers of the Republic of Bulgaria providing for visa-free travel.

(3) (New, SG No. 42/2001) No short-term visas or transit visas shall be required from foreigners who are residing legally in a country with which the Republic of Bulgaria has a visa-free arrangement when these are pupils travelling on a school excursion and are accompanied by a teacher who has a list of the pupils issued by the respective school. Such list shall include:

1. Data identifying each participant in the excursion;
2. Purpose of travel;
3. A recent photograph of each pupil who does not hold a regular foreign travel document or another substituting document in accordance with the legislation of the country from which he is entering.

(4) (New, SG No. 42/2001) No visa shall be required from a foreign national who is also the holder of Bulgarian citizenship, when he presents his travel document from the foreign country and an ID card pursuant to Article 13, paragraph 1, subparagraph 1 of the Bulgarian Identity Documents Act.

(5) (New, SG No. 42/2001) Foreigners under paragraph 3 may be refused entry into the country in the absence of any of the statutory grounds for entering into and stay in the Republic of Bulgaria.

(6) (New, SG No. 37/2003, amended SG No. 88/2005) In consultations with the Ministry of Foreign Affairs and the Ministry of Transport, the Ministry of Interior shall maintain and keep updated a list of international travel documents issued by states, international organisations and other subjects of international public law onto which it is possible to place a sticker bearing a Bulgarian visa and which entitle a foreigner to enter the territory of the Republic of Bulgaria.

Article 9

(Amended, SG No. 42/2001)

(1) (Amended and supplemented, SG No. 37/2003) A visa shall be an endorsement denoting permission of entry, stay, transit passage or airport transfer through the territory of the Republic of Bulgaria.

(2) The type of visa shall be determined by the purpose of a visit, the number of permitted entries, by the term for which one is issued, and by the place of issue.

(3) Visas shall be:

1. Airport-transfer visas;
2. Transit visas;
3. Short-term visas;
4. Group visas;
5. Long-term visas;
6. Visas issued at the border.

(4) The duration of stay in this country on the basis of a visa may not exceed 90 days.

(5) Visas shall be issued by the diplomatic and consular missions of the Republic of Bulgaria, and long-term visas shall be issued after clearance with the services exercising administrative control over foreigners.

(6) By way of an exception, when so required by the state interest, by extraordinary circumstances or humanitarian reasons, and in cases of emergency, or when so provided under an international treaty that is effective for the Republic of Bulgaria, the border passport control authorities at the border-crossing checkpoints may, after clearance with the services exercising administrative control over foreigners or the Consular Relations Directorate of the Ministry of Foreign Affairs, issue single-entry visas for:

1. Airport transfer;
2. Transit;
3. Short-term stay for a period of up to 10 days.

(7) The terms and procedure for issuing visas shall be established by the Council of Ministers.

Article 10

(1) A foreigner shall be denied a visa and entry into this country in the event that:

1. he has, by his actions, endangered the security or the interests of the Bulgarian state or in case there is evidence that he has been acting against this country's security;

2. he has, by his actions, maligned the Bulgarian state or has derogated from the prestige and dignity of the Bulgarian nation;

3. there is information that he belongs to a criminal group or organisation, or that he has been involved in terrorist activities, in smuggling and illicit dealing in arms, explosives, ammunition, strategic raw materials, items and technologies of possible dual application, as well as in illegal trafficking in narcotics and psychotropic substances and precursors, and in raw materials for their manufacture;

4. there is information that he has been engaged in trading in people, as well as in bringing persons illegally into this country and taking persons out into other countries;

5. he was expelled from the Republic of Bulgaria no less than ten (10) years before the date of visa application and failed to recover within six (6) months of expulsion the expenses incurred by the state therefor;

6. he has committed a premeditated crime within the territory of the Republic of Bulgaria punishable under the laws of Bulgaria by more than three (3) years of imprisonment;

7. he has previously attempted to enter or transit this country using counterfeit or forged documents;

8. he might be presumed to spread an acute communicable disease; or is afflicted with a disease which according to the criteria of the Ministry of Health or of the World Health Organisation poses a threat to public health; or is not in possession of a vaccination certificate; or is coming from an area with a complicated epidemic or epizootic situation;

9. he does not have secure means of sustenance and all the mandatory insurance policies required for the time of stay in this country, as well as adequate funds to ensure his return;

10. he has, during previous entries and stays, systematically violated the border-crossing, passport and visa, currency or customs regulations of the Republic of Bulgaria;

11. he has, during a previous stay, violated the labour or tax laws of this country;

12. he is not in possession of visas or tickets for the countries next on his itinerary;

13. a coercive administrative measure has been imposed upon the person preventing him from entering this country and such measure is still in effect;

14. (Amended, SG No. 42/2001) he has been included in the data base of foreigners unacceptable to this country maintained by the Ministry of Interior and by the Ministry of Foreign Affairs;

15. (New, SG No. 42/2001) he is applying for an entry visa with a document certifying final exit from the territory of another country where he has until then.

(2) A visa shall be also denied to a foreigner who has failed to submit all requisite documents certifying his grounds to enter this country, as set forth in an enactment of the Council of Ministers.

Article 11

A foreigner may be denied a visa in the event that:

1. there is information that he wishes to enter this country in order to commit a crime or a violation of the public order;

2. he has, during a previous stay in this country, committed a violation of the public order;

3. his entry in this country will cause detriment to the Republic of Bulgaria's relations with another country;

4. there is information that the purpose of his entry is to stay in this country as an immigrant without having a special permission therefor;

5. there is information that the purpose of his entry is to use this country as a transit point for subsequent migration to a third country.

6. (New, SG No. 42/2001) during a previous stay in this country, he has been the recipient of government social assistance;

7. (New, SG No. 42/2001) he fails to provide reasonable grounds for the declared purpose of travel.

8. (New, SG No. 37/2003) there is a court injunction in effect which imposes a fine under the procedure set out in this Act where such fine has not been paid.

Article 12

(1) (Amended, SG No. 42/2001) An airport-transfer visa shall be issued to a foreigner who, while travelling by aircraft, is changing flights in the Republic of Bulgaria and continuing his travel on the first scheduled outbound flight along the route.

(2) (Amended, SG No. 42/2001) A foreigner in possession of an airport-transfer visa shall be considered non-admitted into this country and his foreign-travel documents shall be kept by the border passport control authorities up to the time of his departure.

Article 13

(Amended, SG No. 42/2001)

A transit visa shall be issued to a foreigner entering the Republic of Bulgaria from one country and leaving this country within twenty-four (24) hours en route to another country.

Article 14

(Amended, SG No. 42/2001)

A short-term visa shall be issued to a foreigner who is to make a single entry or multiple entries into this country for period of up to ninety (90) days within a six- (6) month period as of the date of the first entry. A short-term multiple entry visa may have a validity period of up to one year, unless otherwise provided for in international treaties in effect for the Republic of Bulgaria, or in an enactment of the Council of Ministers.

Article 14a

(New, SG No. 42/2001)

A group visa shall be issued, for transit or with an entitlement to stay for up to thirty (30) days, to foreigners who are the citizens of one and the same state who have form the group prior

to their departure, hold a group passport and provided that they enter, stay and leave the territory of the Republic of Bulgaria as a group.

Article 15

(1) (Amended, SG No. 42/2001) A long-term visa shall be issued to a foreigner who wishing to settle for an extended period or permanently in this country on the basis of any of the grounds stipulated in Articles 24 and 25.

(2) (New, SG No. 42/2001) A long-term visa entitles the foreign holder to a single entry to this country with a right to stay for up to ninety (90) days. The validity of this type of visa may not exceed six (6) months.

(3) (Renumbered from Paragraph 2, amended, SG No. 42/2001) The limitations on the duration of stay set forth in paragraph (2) above shall apply until an authorisation for a long-term stay shall have been received from the services exercising administrative control over foreigners.

Article 16

(1) The possession of a visa may not serve as the only grounds entitling a foreigner to enter the Republic of Bulgaria.

(2) (Supplemented, SG No. 42/2001) The border passport control authorities shall not admit into this country a foreigner in possession of a visa in any of the cases set forth in Article 10 hereof.

(3) The authorities referred to in paragraph (2) above shall have the right to prevent from entering this country a foreigner in possession of a visa in any of the cases laid down in Article 11 hereof.

(4) (Supplemented, SG No. 42/2001) The authorities referred to in paragraph (2) above or the services exercising administrative control over foreigners shall have the right to cancel an issued visa or abridge the duration of a foreigner's stay in this country as determined by the visa granted to him in the event of non-fulfilment of the requirements hereof.

(5) (New, SG No. 42/2001) In cases under paragraphs (2) and (3), the border passport control authorities shall cancel the issued visa and immediately notify the Ministry of Foreign Affairs thereof.

(6) (New, SG No. 37/2003) The Ministry of Foreign Affairs and diplomatic and consular missions may cancel an issued visa under terms and conditions and following a procedure determined under an action of the Council of Ministers.

Article 17

(1) Any foreigner's entry into the Republic of Bulgaria shall only be effected through the border-crossing checkpoints designated therefor.

(2) (Supplemented, SG No. 42/2001) A foreigner bearing more than one personal foreign-travel document, or carrying such documents belonging to third persons, shall be under the obligation to declare them to the border passport control authorities.

(3) (Supplemented, SG No. 42/2001) A foreigner having more than one citizenship shall be obliged to declare to the border passport control authorities the citizenship he is to go by during his stay in this country, and shall be required also to attest this by a valid foreign-travel document issued by the country whose citizenship he has declared.

(4) A foreigner in possession of more than one valid foreign-travel document shall be obliged to leave this country on the same document that he used to enter it.

(5) The provision of paragraph (4) above shall apply also to Bulgarian citizens having another citizenship as well.

Article 18

(Amended, SG No. 42/2001, SG No. 63/2005, effective 1.01.2006)

(1) Upon entry into the Republic of Bulgaria, a foreigner shall declare the purpose of the visit thereof and shall state in writing the residence address thereof in Bulgaria, completing a registration card in a standard form endorsed by the Minister of Interior.

(2) Any foreigners, who are accredited as members of foreign diplomatic missions, consular posts and trade representations, shall register at the Ministry of Foreign Affairs.

(3) Any foreigners, who transit the territory of the Republic of Bulgaria and leave the country within 24 hours, shall not complete registration cards.

Article 19

(1) Any foreigner entering the Republic of Bulgaria, or passing through it in transit, must be in possession of:

1. the requisite means of sustenance;
2. the means needful to leave the country;
3. an entry or transit visa for the country he wishes to visit, or wherethrough he wishes to pass, in case such visa is required;

4. all the mandatory insurance policies as prescribed in an enactment of the Council of Ministers;

5. any other documents that may be stipulated for in an international treaty or in an enactment of the Council of Ministers.

(2) The amount of resources referred to in paragraph (1), subparagraphs 1 and 2 shall be determined in an enactment of the Council of Ministers.

Article 20

(Amended, SG No. 42/2001, SG No. 37/2003)

(1) Carriers engaged in carrying foreigners or Bulgarian citizens by road, air or water to and/or from the Republic of Bulgaria, shall, before performing the service, be obliged to have checked:

1. the validity of all the foreigners' foreign-travel documents, and, for Bulgarian citizens, also the existence of visas for the countries that the persons wish to visit or transit through, if such are required;

2. the fulfilment of the requirements set forth in Article 19, paragraph (1), subparagraph 3 hereof;

(2) In cases where a foreigner has been declined entry into the Republic of Bulgaria on the basis of a failure to meet the obligation referred to in paragraph 1, the carrier that has transported such foreigner shall be obliged, upon a request from the border control authorities, to return such foreigner at its own expense to the state from which he has been transported, to the state which has issued the travel document on which such foreigner has arrived, or to another state where he will be allowed entry. In case the return cannot be effected immediately, any cost associated with the foreigner's stay shall be for the account of the carrier.

(3) The carrier shall also be under the obligation to return at its expense following the procedure set out in paragraph 2 any foreigner transiting through the Republic of Bulgaria where the subsequent carrier should refuse to transport him to the state which is the ultimate travel destination.

(4) The provisions of paragraphs 2 and 3 shall apply also with respect to any foreigner returned to the Republic of Bulgaria who has transited through the country.

Article 21

(1) A foreigner entering, staying in, or transiting this country by vehicle, either by land, or by air, or by water, must be in possession of:

1. a transit permit for the vehicle when such permit is required under the laws of Bulgaria and the international treaties whereto the Republic of Bulgaria is a signatory;

2. documents evidencing the vehicle's registration;

3. documents evidencing the title to the vehicle if it is not evidenced by the documents referred to in subparagraph 2 above;

4. mandatory insurance;

5. operator's licence.

(2) No vehicle shall be admitted into this country unless all requirements set forth in paragraph (1), subparagraphs 1, 4 and 5 above have been fulfilled.

(3) (Supplemented, SG No. 42/2001) The border passport control authorities shall detain the vehicle and keep its documents in case of non-fulfilment of the requirements laid down in paragraph (1), subparagraphs 2 and 3 above, a written statement whereof shall be drawn out and a copy of it shall be handed to the foreigner. The written statement and all the documents shall be sent to the competent customs authorities.

(4) A foreigner in possession of valid documents allowing him to enter this country, but not in possession of valid papers for the vehicle as specified in paragraph (1) above, shall be admitted into the country

Article 21a

(New, SG No. 42/2001)

(1) The Minister of Interior, the Minister of Foreign Affairs, or officials authorised by them may, from time to time, include foreigners in the data base of foreigners unacceptable to this country, in the evidence of the grounds specified under Articles 10 and 11.

(2) The terms and procedure for maintaining and updating the data base under paragraph (1) shall be established by the Minister of Interior and by the Minister of Foreign Affairs.

Chapter III

STAY OF FOREIGNERS IN THE REPUBLIC OF BULGARIA

Article 22

(1) Stay of foreigners in the Republic of Bulgaria shall only be admissible on the grounds of:

1. a valid visa as per Article 9, paragraph (3) hereof;

2. international agreements on visa-free travel or on alleviated visa regulations;

3. a permission of the services charged with exercising administrative control over foreigners.

(2) Foreigners who have entered this country in compliance with the terms and procedures as established by law shall be allowed to extend the duration of their stay by permission from the services exercising administrative control over foreigners.

(3) With regard to foreigners enjoying diplomatic and consular immunity, the permission as per paragraph (2) above shall be granted by the Ministry of Foreign Affairs.

Article 23

(1) Foreigners shall stay in the Republic of Bulgaria on a short term and on a long-term basis.

(2) A short-term stay shall be up to ninety (90) days reckoned from the date of entry into the country. Such term may be extended by the services exercising administrative control over foreigners for reasons of humanitarian nature.

(3) A long-term stay shall be:

1. continued for an authorised term of up to one (1) year;

2. permanent for an indefinite authorised term.

Article 24

(1) Authorisation for continued stay shall be only grantable to foreigners who:

1. (Amended, SG No. 42/2001, SG No. 112/2001) are willing to work under an employment agreement, having been granted a work permit by the authorities of the Ministry of Labour and Social Policy;

2. (Amended, SG No. 42/2001, supplemented, SG No. 37/2003) have engaged in commercial activities in this country in keeping with the legally established order and as a result of that at least ten (10) jobs for Bulgarian citizens have been created unless otherwise agreed in an international treaty ratified, promulgated and entered into force for the Republic of Bulgaria;

3. have been admitted to full-time training in duly licensed educational establishments;

4. are foreign specialists staying in this country in accordance with international agreements to which the Republic of Bulgaria is a party;

5. have sufficient grounds to be allowed permanent residence, or have entered into a marriage with a Bulgarian citizen or with a legal permanent resident foreigner in this country;

6. (Amended, SG No. 42/2001) serve as the representatives of foreign companies duly registered with the Bulgarian Chamber of Commerce and Industry;

7. (Supplemented, SG No. 37/2003) are well-provided parents of legal permanent resident foreigners in this country or of a Bulgarian citizen;

8. (Amended SG No. 70/2004) have been admitted to a medical establishment for continued treatment and have sufficient funds to pay for such treatment and to provide for themselves;

9. are foreign mass-media correspondents with accreditation to the Republic of Bulgaria;

10. are secured by a pension and have adequate means of support in this country;

11. (Amendment, SG No. 37/2004) carry out activities under the Investments Promotion Act;

12. (Repealed, SG No. 42/2001)

13. (Amended, SG No. 42/2001) are members of a foreigner's family where the said foreigner has been granted authorisation for continued stay.

14. (New, SG No. 42/2001, amended, SG No. 37/2003, amended, SG No. 63/2005, effective 1.01.2006) are the parents of a foreigner or are de facto cohabitantes of a foreigner who has been granted a durable residence permit in pursuance of Article 18 (2) herein;

15. (New, SG No. 42/2001, amended, SG No. 112/2001) are willing to work on a free-lance basis, having been granted a permit by the authorities of the Ministry of Labour and Social Policy in pursuance of Article 24a;

16. (New, SG No. 112/2001) are willing to engage in not-for profit activities, having been granted a permit by the Ministry of Justice under terms and conditions set out in a Regulation issued by the Minister of Justice in consultation with the Minister of Interior.

(2) All persons as per paragraph (1) above ought to be provided with a domicile, financial support, mandatory insurance and social security in compliance with the laws of the Republic of Bulgaria. The norms therefor shall be laid down in an enactment of the Council of Ministers.

(3) (New, SG No. 63/2005) The requirement under Item 2 of Paragraph (2) for creation of at least ten jobs for Bulgarian citizens shall not apply to citizens of any Member State of the European Union, as well as to citizens of any other State participating in the European Economic Area.

Article 24a

(New, SG No. 42/2001, amended, SG No. 112/2001)

(1) (Supplemented, SG No. 37/2003) A foreigner wishing to stay for a continued period on the territory of the Republic of Bulgaria in order to exercise a free lance profession may be granted a continued stay visa or a permit for continued stay, provided he fulfils the statutory requirements for entry into and stay in this country, upon presentation of the following documents to the diplomatic and consular missions, or the services exercising administrative control over foreigners:

1. An application following a sample format;
2. A permit to exercise a free lance profession;

(2) Permits to exercise free lance profession shall be issued by the authorities of the Ministry of Labour and Social Policy.

(3) The terms and procedure for the issuance, denial or withdrawal of permits to exercise free lance professions to foreigners shall be established in a Regulation issued by the Minister of Labour and Social Policy in co-ordination with the Minister of Interior and the Minister of Finance.

(4) No visa for a continued stay for the purposes of free lancing shall be issued to foreigners in the cases set out under Article 24, paragraph (1), subparagraphs (1) through (13) and (16).

(5) Foreigners meeting the statutory requirements for exercising the respective free lance profession shall be exempted from the issuance of a permit, where this is provided in an international agreement to which the Republic of Bulgaria is a signatory.

Article 25

Authorisation for permanent residence shall be grantable to foreigners:

1. of Bulgarian nationality;
2. two (2) years following their entry into a marriage with a Bulgarian citizen or with a legal permanent resident foreigner in this country;
3. who are minor or underage children of a Bulgarian citizen, or of a legal permanent resident foreigner in this country, and who have not entered into the married state;
4. (Amended, SG No. 42/2001) who are parents of a Bulgarian citizen, when they provide him with the alimony due under the law, and in cases of recognition or adoption, after the expiration of three (3) years of the recognition or adoption;
5. who have lawfully stayed in this country's territory over the last five (5) years without interruption, whereas the duration of stay authorised on the grounds of Article 24, paragraph (1), subparagraph 3 shall not be taken into consideration;
6. (Amended, SG No. 11/2005) who have invested in this country over five hundred thousand US dollars (\$ 500,000) in compliance with the legally established terms and procedures.
7. (New, SG No. 42/2001) who are not persons of Bulgarian origin born on the territory of the Republic of Bulgaria, have lost their Bulgarian citizenship pursuant to emigrant treaties or upon their own will, and wish to settle permanently on the territory of this country.
8. (New, SG No. 37/2003) who, prior to 27 December 1998, have entered, have been staying or were born on the territory of the Republic of Bulgaria and whose parent has married a Bulgarian citizen under a civil matrimony procedure.

Article 25a

(New, SG No. 42/2001)

Authorisation for stay in the Republic of Bulgaria, without fulfilment of the requirements under this Act, may be granted to foreigners who have merits to the Republic of Bulgaria in the public and economic sphere, in the area of national security, science, technology, culture or sports.

Article 26

(1) (Redesignated from Article 26, SG No. 42/2001) A foreigner shall be denied extension of the authorised duration of his stay in this country in any of the cases under Articles 10 and 11 hereof.

(2) (New, SG No. 42/2001) Extension of the duration of continued stay in this country shall be refused, or authorisation of continued stay granted shall be revoked with respect to a foreigner for whom it has been established that he has not resided on the territory of the Republic of Bulgaria for at least six (6) months and one (1) day in the course of the preceding calendar year.

(3) (New, SG No. 42/2001; supplemented, SG No. 37/2003) Issuance of authorisation for continued stay shall be refused, and, where one has been granted, it shall be revoked, with respect to a foreigner who has entered in matrimony with a Bulgarian citizen or with a foreigner who has been granted authorisation for continued stay, if there is evidence indicating that the matrimony has been entered into for the sole purpose of evading the norms regulating the regime applicable to foreigners in the Republic of Bulgaria, and of obtaining an authorisation of stay.

(4) (New, SG No. 42/2001) The judgement to refuse or revoke the authorisation under paragraph (3) shall be made by the services exercising administrative control of foreigners on the basis of evidence that provide grounds to make a reasonable conclusion that the matrimony has been entered into for the sole purpose of evading the norms regulating the regime applicable to foreigners in the Republic of Bulgaria, and of obtaining an authorisation of stay. Such evidence can include:

1. the fact that the spouses do not live together;
2. the absence of any contribution to the obligations ensuing from matrimony;
3. the fact that the spouses had not known each other prior to entering into matrimony;
4. provision of contradictory information as to personal data about the other spouse (name, address, nationality, profession), about the circumstances of their acquaintance, or about another important personal information;
5. the fact that the spouses do not speak a language understandable to both of them;
6. the payment of an amount of money for entering into matrimony beyond the customary dowry;
7. the existence of previous marriages made for the purpose of evading the norms regulating the regime applicable to foreigners.

(5) (New, SG No. 42/2001; amended, SG No. 37/2003) Evidence under paragraph (4) may be established by interviews held by officers of the services for administrative control of foreigners, from statements made by the parties concerned or by third parties, from documents, or from checks and investigations performed by government authorities. The services exercising administrative control of foreigners shall be obligated to give the parties concerned a hearing.

Article 26a

(New, SG No. 37/2003, amended, SG No. 11/2005, repealed, SG No. 63/2005).

Article 27

(1) The duration of stay of foreigners who have entered this country on certain grounds shall not be extendible on different grounds with the exclusion of the cases brooking no delay and those who have married Bulgarian citizens.

(2) The duration of stay of foreigners shall only be extendible up to six (6) months prior to the expiration of their national foreign-travel documents' validity.

Article 27a

(New, SG No. 42/2001)

Government authorities which, pursuant to a statutory act, perform registration of foreigners, or of activities performed by foreigners, shall be obligated to check the type and grounds of visas issued to foreigners. In the event of establishing a discrepancy between the required registration and the type and grounds of the visa issues, registration shall not be made and the services exercising administrative control of foreigners shall be notified immediately.

Article 27b

(New, SG No. 42/2001)

(1) Officials who, as a result of the duties performed by them, have established a change in the legal status or the activity of foreigners, must notify thereof the services exercising administrative control of foreigners immediately.

(2) In the event of a revocation or termination of a foreigner's right to permanent residence, the services exercising administrative control of foreigners shall notify the civil registration authorities immediately.

Article 28

(Amended, SG No. 42/2001)

(1) (Amended, SG No. 37/2003, SG No. 11/2005, repealed, SG No. 63/2005, effective 1.01.2006)

(2) (Repealed, SG No. 63/2005, effective 1.01.2006).

(3) (Supplemented, SG No. 37/2003, amended, SG No. 11/2005) Any natural or legal person that has provided shelter to a foreigner must, within 5 days of providing such shelter, notify thereof, in writing, the service exercising administrative control over foreigners or the district police department in the jurisdiction of which he is residing, by stating the foreigner's full name, date of birth, citizenship, number and series of identity document.

(4) A person engaged in hospitality business activity, or their staff, shall, when providing accommodation to a foreigner, register him immediately in a special register. Information about foreigners accommodated shall be provided on a daily basis by such person not later than 06:00 hours to the service exercising administrative control over foreigners or the police department in the jurisdiction of which the hotel is located.

(5) (New, SG No. 37/2003, repealed, SG No. 63/2005, effective 1.01.2006).

(6) (Renumbered from Paragraph (5), SG No. 37/2003, repealed, SG No. 63/2005, effective 1.01.2006).

(7) (Renumbered from Paragraph (6) and amended, SG No. 37/2003, amended, SG No. 63/2005, effective 1.01.2006) The stay in the Republic of Bulgaria of the persons referred to in Article 18 (2) and in Item 14 of Article 24 (1) herein shall not be assimilated to the duration required to obtain a permanent residence permit or to acquire Bulgarian citizenship by naturalization.

Article 28a

(New, SG No. 42/2001)

(1) (Amended, SG No. 54/2002) A foreigner who has not completed 18 years of age, who has entered this country on legal grounds unaccompanied by an escort: a parent or another person of legal age who is responsible for him under statutory provisions or common practice, or has done so with an escort but has been abandoned by him and who has not requested protection under the Asylum and Refugees Act, may be granted an extension of the duration of stay on the territory of the Republic of Bulgaria.

(2) The state Agency for Child protection shall provide, temporarily, any foreigners under paragraph (1) with the material support and care necessary to meet their basic sustenance needs,

medical care and due guardianship, including legal assistance and representation, and with access to free-of charge education at Bulgarian state and municipal schools, until the final settlement of the matter of their stay in this country but not after they have completed 18 years of age.

(3) In cases where any foreigners under paragraph (1) are not granted an extension of the duration of stay on the territory of the Republic of Bulgaria, they shall be returned to their country of origin, a third country willing to accept them, or a country obliged to accept them under an agreement for delivery and re-acceptance signed with the Republic of Bulgaria, provided that in such a country their life and freedom are not jeopardised and they are not exposed to the danger of persecution, torture or inhuman or humiliating treatment.

Article 29

Foreigners residing in the Republic of Bulgaria on a long-term basis shall be required to certify their identity under such terms and procedures as shall be established by law.

Article 30

The loss or destruction of an foreigner's valid foreign-travel documents, or substitute papers, must be reported immediately to the services exercising administrative control over foreigners.

Article 31

(1) A foreigner's foreign-travel documents may be temporarily detained:

1. by the competent bodies of the judiciary when penal proceedings have been instituted because of a crime commission;

2. by the competent officers in the event of the foreigner's commitment to an institution for imprisonment of convicted persons;

3. by the Ministry of Interior's authorities when there is reasonable doubt that the documents are counterfeit or forged;

4. by the Ministry of Interior's authorities in the event that an order has been issued prescribing expulsion, forcible taking under escort to the border, or extradition from this country;

5. by the Ministry of Interior's authorities in the events set forth in Article 12, paragraph (2) hereof;

6. by the Ministry of Interior's authorities in all events where foreigners have been forcibly sent back from another country.

(2) In all cases stipulated under paragraph (1), subparagraphs 1, 2 and 3 above, the officials detaining a foreigner's documents shall draw up a written statement on the basis whereof the services exercising administrative control over foreigners shall issue a temporary document certifying the person's identity.

(3) A detained foreign-travel document shall be returned to the concerned foreigner when the grounds for its temporary detention are no more existent.

(4) Foreign-travel documents of foreigners enjoying diplomatic immunity in the Republic of Bulgaria shall not be subject to detention, unless otherwise provided in the international treaties where to the Republic of Bulgaria is a signatory.

Article 32

Foreign-travel documents of foreigners shall not be given or accepted as security by pledge, nor shall they be given into another's keeping for temporary use.

Article 33

(1) Foreigners who have been allowed permanent residence in the Republic of Bulgaria shall be allowed to seek employment under the terms and procedures established for Bulgarian citizens.

(2) Foreigners who have been allowed short-term or continued stay in the Republic of Bulgaria's territory shall only be allowed to carry out activities under an employment agreement following the receipt of permission from the competent bodies of the Ministry of Labour and Social Policy.

(3) Foreigners who have been granted a work permit shall only be allowed to work for the employer and for the period of time specified in their work permit.

Chapter IV

FOREIGNERS LEAVING THE REPUBLIC OF BULGARIA

Article 34

Every foreigner shall be obliged to leave this country no later than the expiration of his authorised duration of stay.

Article 35

(1) A foreigner staying on a short-term basis whose foreign-travel document has been replaced by a new one shall be allowed to leave this country after he shall have notified thereof the services exercising administrative control over foreigners, unless otherwise provided in an international agreement to which the Republic of Bulgaria is a party.

(2) A foreigner who has authorisation for continued stay, shall be allowed to leave and re-enter the country without a visa until the expiration of the authorised duration of stay.

(3) A legal permanent resident foreigner shall be allowed to enter and leave this country visa-free.

Article 36

Foreigners shall be allowed to leave the Republic of Bulgaria through the places designated therefor on the grounds of foreign travel documents or other substitute papers entitling them to leave the country.

Article 37

No foreigner shall be allowed to leave this country in case a coercive administrative measure has been imposed upon him to prevent him from leaving.

Article 38

A foreigner leaving the Republic of Bulgaria by vehicle, either by land, or by air, or by water, must be in possession of all documents as per Article 21, paragraph (1), subparagraphs 2 and 3, as well as a permission, if required, to export the vehicle.

Article 39

The surrender of foreigners extraditable because of a crime commission shall be effected under the terms and procedures established by the laws of Bulgaria and by the international treaties whereto the Republic of Bulgaria is a signatory.

Chapter V

MEASURES OF ADMINISTRATIVE COMPULSION

Section I

Coercive Administrative Measures

Article 39a

(New, SG No. 42/2001)

Coercive administrative measures enforceable with respect to foreigners under this Act shall include the following:

1. revocation of the right to stay in the Republic of Bulgaria;
2. forcible escort to the border of the Republic of Bulgaria;
3. expulsion;
4. ban on entering the Republic of Bulgaria;
5. ban on leaving the Republic of Bulgaria.

Article 40

(Amended, SG No. 42/2001)

(1) Revocation of a foreigner's right to stay in the Republic of Bulgaria shall be imposed in the event that:

1. the grounds as set forth in Article 24, paragraph (1) and in Article 25, subparagraphs 2 and 6 hereof are no longer valid;
2. there are grounds for revocation under Article 10 hereof;
3. it has been established that the information provided for the purpose of achieving such right is incorrect;
4. the marriage has been terminated less than five years after it was entered into in accordance with Article 25, subparagraph 2 hereof;
5. the foreigner has failed to settle in this country within one (1) year of permission and is not residing in its territory, with the exception of the cases under Article 25, subparagraph 6 hereof.
6. it has been established that the foreigner has not resided on the territory of the Republic of Bulgaria for at least six (6) months and one (1) day in the course of the preceding calendar year.

(2) A revocation of a foreigner's right to stay in the Republic of Bulgaria may be imposed in the presence of the grounds stipulated in Article 11.

Article 41

(Amended, SG No. 42/2001)

Forcible escorting of a foreigner to the border of the Republic of Bulgaria shall be imposed in the event that:

1. the concerned foreigner is unable to evidence that he has entered this country lawfully;
2. the concerned foreigner has failed to leave the country prior to the expiration of his authorised duration of stay, or within seven (7) days of notification that extension of his authorised stay has been denied;
3. it has been established that the concerned foreigner has entered this country and is staying in this country under a false or forfeited foreign-travel document or a substitute document;

Article 42

(Amended, SG No. 42/2001)

(1) Expulsion of a foreigner shall be imposed when his presence in this country poses a serious threat to national security or public order.

(2) With the imposition of the coercive administrative measure under paragraph (1), the right of a foreigner to stay in the Republic of Bulgaria shall also be revoked and a ban on entering the Republic of Bulgaria shall be imposed.

Article 42a

(New, SG No. 42/2001)

(1) A ban on entering the Republic of Bulgaria shall be imposed in the presence of the grounds set out in Article 10.

(2) A ban on entering the Republic of Bulgaria may be imposed in the presence of the grounds set out in Article 11.

(3) The ban on entering the Republic of Bulgaria shall be valid for a term of up to 10 years.

(4) A ban on entry may be imposed simultaneously with a coercive administrative measure under Article 40, paragraph (1), subparagraph (2), under Article 40, paragraph (2), or under Article 41, when the grounds set out in Article 10 or Article 11 are present.

Article 43

(Amended, SG No. 70/1999, SG No. 42/2001)

(1) A ban on leaving the Republic of Bulgaria shall be imposed on a foreigner who:

1. has been sentenced in court and the sentence has become effective, and he has not served the imposed punishment of imprisonment;

2. (Amended, SG No. 37/2003) has obligations exceeding BGN 5,000 to Bulgarian legal entities or natural persons that have been established under the established legal procedure and the obligations have not been duly secured;

3. (Amended, SG No. 45/2002) has liquid and executable obligations towards the state exceeding BGN 5,000 or is a member of the control or management bodies of legal persons, having liquid and executable obligations towards the state exceeding BGN 5,000 in the event due security had not been provided;

(2) The measures as per paragraph (1) shall also be imposed to foreigners holding a Bulgarian citizenship as well.

(3) A foreigner under 18 years of age who is the holder of a Bulgarian citizenship as well shall be banned from leaving the Republic of Bulgaria where one of the parents is a Bulgarian citizen who has not given a written permission for his travel abroad.

Article 44

(Amended, SG No. 42/2001)

(1) (Amended, SG No. 54/2002, SG No. 103/2003) Coercive administrative measures shall be imposed under an order of a director of a national, local office of the Ministry of Interior, a chief of a regional border sector, or the director of the Migration Directorate. A copy of the order shall be sent to the State Agency on Refugees under the Council of Ministers.

(2) Orders revoking the right of stay in the Republic of Bulgaria shall prescribe a time limit for leaving the country, and upon the expiration of such deadline the foreigner shall be forcibly taken out of the country.

(3) Orders imposing coercive administrative measures shall be executed by the services exercising administrative control over foreigners, or the border passport control authorities, respectively, upon their coming into effect, unless the authority that has issued the order has allowed for preliminary execution.

(4) The following shall be subject to immediate execution:

1. orders revoking the right of stay in the Republic of Bulgaria for reasons of existence of the grounds set out in Article 10, paragraph (1), subparagraph (1);

2. orders imposing a ban on entering the Republic of Bulgaria for reasons of existence of the grounds set out in Article 10, paragraph (1), subparagraph (1);

3. expulsion orders.

(5) In the presence of obstacles barring a foreigner from immediately leaving this country, or from entering another country, such foreigner shall be obliged, under an order to be issued by the authority that has issued the order imposing the coercive administrative measure, to report daily to the respective police precinct in whose jurisdiction he resides, under the procedure laid

down in the Rule on Implementing this Act, until such time as the obstacles are no longer in place.

(6) The authority that has issued the order of forcible escorting to the border of the Republic of Bulgaria or the expulsion order may, at its own discretion, coercively accommodate the concerned foreigner in a special institution for a period of time until any obstacles on the execution of the coercive administrative measure are no longer in place.

(7) (New, SG No. 37/2003, supplemented 103/2003) Special homes shall be set up under the Migration Directorate to the Ministry of Interior for temporary shelter for foreigners who have been issued an order for forcible escorting to the border of the Republic of Bulgaria or for expulsion.

(8) (New, SG No. 37/2003) Accommodation of foreigners in such special homes shall be provided on the basis of an order for coercive accommodation issued by competent officials from the Ministry of Interior whereas such order must expressly indicate the need of such accommodation and the legal grounds, and a copy of the order referred under paragraph (6) must be attached thereto.

(9) (New, SG No. 37/2003) The procedure for temporary accommodation of foreigners in such special homes, and their organisation and operations shall be regulated in a regulation issued by the Minister of Interior.

Article 44a

(New, SG No. 42/2001)

A foreigner who has been imposed the coercive administrative measure of expulsion shall not be expelled to a country where their life and freedom are jeopardised and he is exposed to the danger of persecution, torture or inhuman or humiliating treatment

Article 44b

(New, SG No. 42/2001)

When the immediate expulsion, or forcible escorting of a foreigner to the border is impossible, or the execution of these measures needs to be postponed due to reasons of legal or technical nature, the authority that has issued the order imposing the respective coercive administrative measure shall postpone its execution until the obstacles on its execution are no longer in place.

Article 45

All costs of taking a foreigner out of this country shall be borne by the foreigner, or by the person or organisation responsible for his entry.

Article 46

(Amended, SG No. 42/2001)

(1) All orders imposing coercive administrative measures may be appealed against under the terms and following the procedure laid down by the Administrative Procedure Code, and appeals under administrative proceedings regulations shall be referred to the Minister of Interior, while appeals under court proceedings regulations shall be referred to the respective district court jurisdiction.

(2) The following shall not be subject to appeal under court proceedings regulations:

1. orders revoking the right of stay in the Republic of Bulgaria for reasons of existence of the grounds set out in Article 10, paragraph (1), subparagraph (1);
2. orders imposing a ban on entering the Republic of Bulgaria for reasons of existence of the grounds set out in Article 10, paragraph (1), subparagraph (1);
3. expulsion orders.

(3) Orders under paragraph (2) shall not indicate the factual grounds for imposing the coercive administrative measure.

(4) A petition against an order under paragraph (2) shall not stay its execution.

Article 46a

(New, SG No. 42/2001)

Government authorities exercising powers in connection with the terms and procedure for entry into, stay in and leaving the Republic of Bulgaria by foreigners shall co-operate with the competent authorities of other states in combating illegal migration and in the execution of expulsions.

Article 47

(Repealed, SG No. 42/2001)

Section II

Administrative and Penal Provisions

Article 48

(1) Penalised by imposition of a fine ranging from BGN 500 to 5,000 shall be any foreigner who:

1. has re-entered this country after having been expelled from it;
2. has engaged in business, commercial and other activities without appropriate authorisation;
3. has stayed in this country after his authorised duration of stay has expired.

(2) The penalty as per the preceding paragraph (1) shall be also imposed upon natural persons who have employed foreigners without appropriate authorisation, while legal persons shall be penalised by imposition of a property sanction in the amount of BGN 20,000.

(3) In the event of repeated violations under paragraphs (1) and (2) above, a fine shall be imposed ranging from BGN 1,000 to 10,000, while legal persons shall be penalised by a property sanction of up to BGN 40,000

Article 48a

(New, SG No. 42/2001)

(1) (Supplemented, SG No. 112/2001, amended, SG No. 11/2005) Penalised by imposition of a fine ranging from BGN 200 to 2,000 shall be any natural person who fails to fulfil his obligations under Article 24a.

(2) Any legal person which makes the violation under paragraph (1) shall be imposed a property sanction ranging from BGN 500 to 5,000

(3) Penalties under paragraph (1) shall be also imposed on any staff member of a sole proprietor or legal person who makes, or allows a violation under paragraphs (1) and (2).

(4) In the event of repeated violations under paragraphs (1) through (3) above, a fine shall be imposed ranging from BGN 500 to 5,000, while legal persons shall be penalised by a property sanction ranging from BGN 1,000 to 10,000.

Article 48b

(New, SG No. 11/2005)

(1) Natural persons failing to fulfil their obligations referred to in Article 28 shall be imposed a fine ranging from BGN 100 to 1,000.

(2) Legal persons failing to fulfil their obligations referred to in Article 28 shall be imposed a property sanction ranging from BGN 500 to 5,000.

(3) In the event of repeated violation under Paragraph (2) above, the legal person shall be imposed a property sanction ranging from BGN 1,000 to 10,000.

Article 49

(1) Penalised by a fine of up to BGN 3,000 shall be any foreigner who:

1. makes use of an invalid foreign-travel document or other substitute papers;
2. (Supplemented, SG No. 42/2001) has lost, damaged or destroyed a Bulgarian identity document, or documents issued by the border passport control authorities;
3. in his capacity as a vessel's captain or crew member has failed to comply with the established border and passport regulations in ports and port cities/towns;
4. has failed to fulfil his obligations set forth in Article 17, paragraphs (2), (3) and (4), and in Article 30 hereof;
5. has given or accepted a document of identity as security by pledge, or has given such a document into another's keeping or for temporary use.

(2) In the event of repeated violations under paragraph (1) above, a fine shall be imposed ranging from BGN 1,000 to 6,000, while legal persons shall be penalised by a property sanction of up to BGN 20,000 .

Article 50

(1) Penalised by a fine of up to BGN 500 shall be any foreigner who:

1. has failed to fulfil his obligations under Article 44, paragraph (3) hereof;
2. has committed a brazen violation of the established order within the border-control zone at a border-crossing check point;
3. has failed to keep the time-limit for transiting this country.

(2) In the event of repeated violations under paragraph (1) above, a fine shall be imposed ranging from BGN 200 to 1,000.

Article 51

(Amended, SG No. 37/2003)

(1) A carrier who is a natural person who has failed to fulfil his obligations set forth in Article 20 hereof, shall be punished by a fine ranging from BGN 2,000 to 10,000.

(2) A carrier which is a legal person which has failed to fulfil its obligations set forth in Article 20 hereof, shall be punished by a property sanction ranging from BGN 5,000 up to 20,000.

(3) Where in violation of Article 20 more than one person have been transported to the Republic of Bulgaria or in case of a refused return of more than one person, the fine imposed on the offender under paragraph (1) shall range from BGN 10,000 to 20,000, and the property sanction shall range from BGN 20,000 up to 40,000.

(4) In the event of repeated violations, the amount of fine and property sanction shall be as follows:

1. in cases under paragraph (1) above, from BGN 5,000 to 20,000;
2. in cases under paragraph (2) above, from BGN 20,000 to 40,000;
3. in cases under paragraph (3) above, a fine ranging from BGN 20,000 to 40,000 and a property sanction from BGN 30,000 to 60,000.

Article 52

(1) Where no other penalty has been provided for violations of this Act and of the Rules and Regulations for its implementation enacted pursuant thereto, the perpetrator shall be penalised by imposition of a fine in the amount of up to BGN 500.

(2) In case of minor offences a fine shall be imposed in accordance with Article 39, paragraph (2) of the Administrative Violations and Sanctions Act.

(1) (Amended, SG No. 112/2001) All violations of this Act, shall be ascertained by reports drawn up by the competent bodies of the Ministry of Interior, and in the cases under Article 24a

or Article 33, paragraph (2) - by the competent bodies of the Ministry of Labour and Social Policy.

(2) The Minister of Interior and the Minister of Labour and Social Policy, or other officials duly appointed by them, shall, on the basis of such reports, issue penal decrees.

(3) The drawing up of the reports, the issuing and the execution of the penal decrees, and the appeals against them shall be effected in compliance with the provisions of the Administrative Violations and Sanctions Act.

Article 53

(1) (Supplemented, SG No. 112/2001) All violations of this Act, shall be ascertained by reports drawn up by the competent bodies of the Ministry of Interior, and in the cases under Article 24a or Article 33, paragraph (2) by the competent bodies of the Ministry of Labour and Social Policy.

(2) The Minister of Interior and the Minister of Labour and Social Policy, or other officials duly appointed by them, shall, on the basis of such reports, issue penal decrees.

(3) The drawing up of the reports, the issuing and the execution of the penal decrees, and the appeals against them shall be effected in compliance with the provisions of the Administrative Violations and Sanctions Act.

Chapter VI

(New, SG No. 37/2003)

INFORMATION ACTIVITY OF SERVICES FOR ADMINISTRATIVE CONTROL OF FOREIGNERS IN THE REPUBLIC OF BULGARIA

Article 54

(1) A Single Register of Foreigners shall be set up under the Ministry of Interior, containing data concerning foreigners on continued stay.

(2) For the purposes of executing the functions established by law for the services for administrative control of foreigners under the Ministry of Interior, data concerning the following shall be processed:

1. Visa control of foreign citizens;
2. Border control for crossings by foreign citizens;
3. Citizens seeking or having obtained special protection on the territory of the Republic of Bulgaria;
4. Address registration of foreigners on short stay;
5. Any administrative penalties and measures of administrative coercion imposed on foreigners;
6. Acquisition, loss and restoration of Bulgarian citizenship.

(3) (New, SG No. 103/2003) Services for administrative control of foreigners shall duly submit to the Migration Directorate to the Ministry of Interior all the information under paragraph 2.

(4) (Renumbered from Paragraph 3, SG No. 103/2003) Services for administrative control of foreigners under the Ministry of Interior shall process the following data:

1. Names in the Cyrillic and Latin alphabets, date of birth, place of birth, gender, citizenship;
2. Single civil registry number and/or personal number of a foreigner;

3. Permanent address in the Republic of Bulgaria;
4. Present address in the Republic of Bulgaria;
5. Document for foreign travel (type, series, number, date, place of issue and validity term);
6. Purpose of stay in the Republic of Bulgaria;
7. Visa (type, number, date and place of issue and validity term and term of stay);
8. Grounds on which stay in the Republic of Bulgaria is permitted;
9. Applications for long-term stay permission (number, date, decision);
10. Decisions for granting special protection on the territory of the Republic of Bulgaria (date and number)
11. Term of stay in the Republic of Bulgaria;
12. Marital status;
13. Spouse;
14. Children aged up to 18 years;
15. Permanent address in the country of which the person is a citizen;
16. Decree of the President of the Republic of Bulgaria on change of citizenship;
17. Entries in and exits from the Republic of Bulgaria;
18. Host;
19. Tourist vouchers;
20. Profession and place of work;
21. Imposed measures of administrative coercion;
22. Ex officio data;
23. Other data as indicated in a law.

Article 55

(1) Data from the Single Register of Foreigners shall be provided to:

1. Government authorities and organisations, on the basis of a law or an action of the judiciary power;
2. Bulgarian citizens and foreigners, only if such data refers to them;
3. Bulgarian and foreign legal persons, on the basis of a law or an action of the judiciary power;
4. Authorities in other states, in accordance with international treaties to which the Republic of Bulgaria is party;
5. The Single Service for Civil Registry and Administrative Services for the Population (ESGRAON).

(2) Bulgarian citizens and foreigners shall have the right to obtain information kept in the data bases referring to third parties only on the basis of a law or an action of the judiciary power.

(3) Refusal to provide data from the Single Register of Foreigners can be appealed under the procedure set out in the Administrative Procedure Code.

Article 56

The Ministry of Interior shall provide information to the Ministry of Foreign Affairs concerning any imposed restrictions on the entry in the Republic of Bulgaria of foreigners and shall receive from the Ministry of Foreign Affairs data concerning visas issued/refused to foreigners and data concerning Bulgarian citizens who have committed crimes and violations against the law of other states.

Article 57

The Ministry of Interior shall exchange data with the Ministry of Labour and Social Policy in connection with the issuance of work permits to foreigners and the issuance of free-lancing permits of foreigners.

Article 58

The Ministry of Interior shall exchange information with the State Agency for Refugees in connection with the issuance of identity documents to foreigners seeking or having received protection, and for the purposes of proceedings for granting special protection under the Asylum and Refugees Act.

Article 59

(1) The Ministry of Interior shall exchange data with the authorities of the judiciary in connection with the performance of their functions regarding the imposition and lifting of coercive administrative measures.

(2) The Ministry of Interior shall cooperate with the Ministry of justice concerning foreigners released from penitentiaries and concerning persons applying to acquire, restore or be relieved of Bulgarian citizenship.

Article 60

The Ministry of Interior shall cooperate and exchange data with ESGRAON and with the municipal administrations in connection with the issuance of Bulgarian identity documents and rendering administrative services to foreigners on permanent stay.

Article 61

(Amendment, SG No. 103/2003)

The Ministry of Foreign Affairs shall keep a register containing the data referred to in Article 54, paragraph (4), and data concerning foreigner filings for the issuance of visas and restrictions imposed under the procedure set out in Article 21a by the Minister of Foreign Affairs.

ADDITIONAL PROVISIONS

§ 1. For the purposes of this Act:

1. A "family" shall be the spouses and their underage children provided they have not yet entered into a marriage.

2. A "systematic violation" shall have been committed where a foreigner shall have committed more than two (2) violations inside of two (2) years.

3. (Supplemented, SG No. 42/2001) A "valid foreign-travel document or another substitute document" shall be a document that has been issued in accordance with the terms and procedures established by the laws of the respective country wherein a visa can be affixed and which entitles the foreigner to return to the state from which he is entering, to the country of origin, or a third country, the photograph in it satisfactorily identifies the bearer, all data therein are free from corrections, cross-outs, deletions, additions, etc., there is no evidence of photograph replacement, all stamps and seals affixed thereto are clear, the photograph is a good likeness of the bearer and its validity has not expired.

4. "Expulsion" shall be forcibly taking or leading a foreigner, within a short period of time, outside this country's borders because of committed crimes or in the absence of lawful grounds to stay in it.

5. "Services exercising administrative control over foreigners" shall be the statutorily designated state bodies vested with powers under this Act.

6. (New, SG No. 42/2001) "A person of Bulgarian origin" shall be a person at least one of whose ascendants is a Bulgarian.

7. (New, SG No. 42/2001) "Cases of emergency" shall be at hand when, due to reasons of exacerbated health condition, death of a close person, or for other reasons having occurred due to causes that are not the foreigner's fault, and which he could not have foreseen and prevented, it is adamant that he remain on the territory of the Republic of Bulgaria.

7a. (New, SG No. 63/2005) "European Economic Areas" is an economic community comprising the Member States of the European Union, Iceland, Liechtenstein and Norway.

8. (New, SG No. 42/2001) "A school" shall be an establishment of general education in the meaning of the legislation of the state where the pupil resides.

9. (New, SG No. 42/2001, amended, SG No. 112/2001) "A free lance activity" shall mean any business activity performed in a personal capacity without any commitment to an employer, except for the activities under Article 24, paragraph (1), subparagraphs (2) and (11).

10. (New, SG No. 37/2003) Factual extramarital co-habitation exists when the persons live in one household and cohabitate on the basis of spouse relationships.

11. (New, SG No. 37/2003) A carrier refers to a natural or legal person who, according to their national law, has the right to perform transportation by road, by air or water using means of transportation designed for the performance of such activity.

§ 2. Fees shall be charged for the issuance of visas, residence permits and other documents in accordance with this Act in such amounts as shall be prescribed in an enactment of the Council of Ministers.

TRANSITIONAL AND CONCLUDING PROVISIONS

§ 3. This Act shall repeal the hitherto Residence of Foreigners in the Republic of Bulgaria Act (promulgated State Gazette No. 93 of 1972; amended and supplemented SG Nos. 36 of 1979; 17 of 1987; 26 of 1988; 53 of 1989, 27 of 1994, 120 of 1997, 11 & 93 of 1998).

§ 4. In Article 9, paragraph (2) of the Foreign Investment Act (promulgated State Gazette No. 97 of 1997; amended SG Nos. 99 of 1997, 29 of 1998) the wording "or other officials duly authorised by him" shall be inserted right after the wording "the Minister of Interior".

§ 5. The Council of Ministers shall enact Rules and Regulations for the implementation of this Act

§ 6. The implementation and enforcement of this Act shall be assigned to and vested with the Minister of Foreign Affairs, the Minister of Interior and the Minister of Labour and Social Policy.

This Act was adopted by the 38th National Assembly on 11 November and again on 15 December 1998 and the Official Seal of the National Assembly has been affixed thereto.

LEV RE-DENOMINATION ACT

Promulgated, SG No. 20/5.05.1999, supplemented, SG No. 65/20.07.1999
(effective 5.07.1999)

TRANSITIONAL AND FINAL PROVISIONS

.....

§ 4. (1) (Supplemented, SG No. 65/1999) Upon the entry of this Act into force, all figures expressed in old lev terms as indicated in the laws which will have entered into force prior to the 5th day of July 1999 shall be replaced by figures expressed in new lev terms, reduced by a factor of 1,000. The replacement of all figures expressed in old lev terms, reduced by a factor of 1,000, shall furthermore apply to all laws passed prior to the 5th day of July 1999 which have entered or will enter into force after the 5th day of July 1999.

(2) The authorities, which have adopted or issued any acts of subordinate legislation which will have entered into force prior to the 5th day of July 1999 and which contain figures expressed

in lev terms, shall amend the said acts to bring them in conformity with this Act so that the amendments apply as from the date of entry of this Act into force.

.....
§ 7. This Act shall enter into force on the 5th day of July 1999.

TRANSITIONAL AND FINAL PROVISIONS

of the Administrative Procedure Code
(SG, No. 30/2006, effective 12.07.2006)

.....
§ 139. Everywhere in the Foreigners in the Republic of Bulgaria Act (Promulgated, State Gazette No. 153/1998, amended, SG No. 70/1999, amended and supplemented, SG No. 42/2001, SG No. 112/2001, amended, SG No. 45/2002, SG No. 54/2002, amended and supplemented, SG No. 37/2003, SG No. 103/2003, amended, SG No. 37/2004, SG No. 70/2004, amended and supplemented, SG No. 11/2005, SG No. 63/2005, amended, SG No. 88/2005) the words "the Administrative Procedure Act" shall be replaced by "the Administrative Procedure Code".