



## Changes in the regulations for employment of third country nationals in Bulgaria

The Bulgarian Parliament has adopted amendments to the Labour Migration and Labour Mobility Act, effective from 23 May 2018. You can find below an outline of the actual changes.

### **Easier access to the labour market for third country nationals of Bulgarian origin**

There is no longer a requirement for an issued decision for permission to access the labour market for the third country nationals of Bulgarian origin. Until they obtain a Bulgarian permanent residence permit, only a registration by their employer with the Employment Agency is required in order for them to be able to work legally.

### **Simplified procedure for the European Union Blue Card**

The List of Occupations for which there is a shortage of qualified professionals is being removed as well as the previously required mandatory Bulgarian market test done by the Bulgarian employer.

### **Increased quota for third country nationals working for local employers**

For the general case of employment permission application, the total number of third country nationals should not exceed 20% from the overall personnel and 35% for small and medium enterprises. Up to now, this ratio was 10%.

### There are additional grounds for refusal to issue a decision for granting access to the labour market:

1. If in the one year preceding the application the worker or the employer have been imposed a penalty for the following violations:
  - Performing employment activities without the required employment permission or registration;
  - Accepting employees without the required employment permission or registration;
  - Not following the terms, conditions and procedure for secondment within the framework of provision of services;
  - Hiring a foreign national who is illegally residing in Bulgaria;
  - If the employer fails to pay labour remuneration agreed for the work performed.
2. If the requested term in the application exceeds the maximum allowed.

### Changes in the penalties

Third country nationals who are working or residing illegally shall be liable to a fine amounting from BGN 500 to BGN 5,000. The same fine shall be imposed to individuals who employ third country nationals without the required permit or registration. Higher penalties amounting from BGN 2,000 to BGN 20,000 shall be imposed to companies for the same violation. The penalties shall be doubled in the cases of repeated violations.

### Other changes

Employees who are third country nationals and have the position of an intern would be able to access the labour market without a work permit and after a registration by their employers with the Employment Agency.

The processing term for the employment permission for the purposes of a Single residence and work permit is reduced from 30 to 20 days.

The processing term for a seasonal worker's permit is reduced from 15 to 10 days.

If you have questions with respect to the above, please do not hesitate to contact us.

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