

Mobility: Immigration alert

February 2023



Bulgaria

Major changes introduced relating to EU Blue cards

Executive summary

On 19 January 2023, the Bulgarian Parliament passed the Law on the Changes to the Law on Labour Migration and Labour Mobility (“the new Law”), which implements several changes relating to EU Blue Cards.

Background

EU Blue Cards are available to highly qualified third-country nationals (i.e., nationals of countries located outside the EU and EEA) and enable them to work and reside in Bulgaria. To apply for Blue Cards, applicants must have a contract with a Bulgarian employer that is valid for at least six months and earn at least 1.5 times the Bulgarian national average salary for the 12 months preceding the filing of the Blue Card application.

Key developments

Pursuant to the new Law, which adopts recommendations provided by EY Bulgaria, the following changes went into effect on 24 January 2023:

- ▶ Blue Cards are now valid for a maximum period of five years, up from four years previously.
- ▶ In general, applicants may submit proof that they have five years of relevant professional experience in lieu of a university degree. Individuals engaged in professions appearing in a specific list can submit proof that they have three years of relevant professional experience in lieu of a university degree. The Minister of Labour and Social Policy is expected to release this list in the coming months.
- ▶ Individuals who seek to apply for EU Blue Cards are no longer required to present proof that they have private health insurance coverage for the entire duration of their intended stay in Bulgaria, and they are now only required to have health insurance coverage at the time of filing their application. In addition, Blue Card holders are now eligible to receive additional health insurance coverage as a social benefit from their Bulgarian employer. Previously, as they were not covered under the government’s health insurance system, they were not eligible for this benefit.
- ▶ ID cards for Blue Card holders no longer mention the employer’s name, and those who have held Blue Cards for at least 12 months can now undertake work with a different employer by simply notifying the Employment Agency in Bulgaria (i.e., without applying to renew their ID card). Previously, all Blue Card ID cards included the current employer’s name, and ID card holders were required to seek permission from the Agency and obtain a new ID card prior to changing employers.
- ▶ Blue Card holders are now eligible to work remotely (from home) from within Bulgaria for their Bulgarian employers. Previously, Blue Card holders were required to perform their work activities in person at a specific office, and they were not permitted to work from home.
- ▶ Bulgarian employers can now assign Blue Card holders to another EU country for up to 90 days in any 180-day period. Previously, these individuals were not eligible to be assigned to any location other than the specific office mentioned in their Blue Card applications.
- ▶ Pursuant to the recent changes, the Bulgarian authorities are now expected to process Blue Card applications in 2.5 months (down from three months previously).

Further changes are expected relating to Blue Cards in the coming months, including the introduction of an online application process, which may further simplify and expedite the procedure for obtaining Blue Cards.

Impact on employers

Employers that sponsor Blue Cards applications on behalf of third-country nationals may:

- ▶ Enroll Blue Card holders in health insurance policies beginning from the next payroll cycle.
- ▶ Expand their list of potential candidates to include experienced individuals who do not hold a university degree.
- ▶ Assist eligible employees with applying for the extended maximum duration of Blue Cards.
- ▶ Assign Blue Card holders on a short-term basis within the EU.
- ▶ Allow Blue Card holders to work from home where possible.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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