

# **EU citizens and Families Entry Stay and Departure Act**

*SG, issue 80 from 3 October 2006, last amended SG issue 102 from 22 December 2009*

*In force from the date of entry into effect of the Treaty of Accession of the Republic of Bulgaria to the European Union*

## **Chapter one GENERAL PROVISIONS**

Art. 1. (1) This act stipulates the terms and conditions pursuant to which European Union citizens and members of their families may enter, reside and leave Republic of Bulgaria.

(2) This act shall also be applied to the citizens of countries - parties to the European Economic Area Agreement, the citizens of confederation Switzerland and the members of their families, who are themselves not citizens of the European Union, the European Economic Area and confederation Switzerland but by virtue of international agreements concluded with the European Union, are entitled to free movement.

Art. 2. European Union citizen is a person, who is a citizen of a Member State of the European Union.

Art. 3. During their residence in the Republic of Bulgaria the European Union citizens and the members of their families, who are not themselves citizens of the European Union, shall have all rights and obligations according to the Bulgarian legislation and the international agreements, to which the Republic of Bulgaria is a party, except the ones for which Bulgarian citizenship is required.

## **Chapter two RIGHT OF ENTRY AND LEAVE OF REPUBLIC OF BULGARIA**

Art. 4. (1) European Union citizen shall enter and leave the territory of the Republic of Bulgaria with identity card or passport.

(2) A member of the family of European Union citizen, who is not a European Union citizen shall enter and leave the territory of the Republic of Bulgaria with passport and visa in case such is required. The visa shall be issued under conditions and by procedure stipulated by the Council of Ministers, free of any charge for processing the documents and issuing the visa. The denial of visa shall be reasoned and is subject to judicial review pursuant to the Administrative procedure code. This visa denial is issued on a form the sample of which shall be approved by an act of the Council of Ministers.

(3) No visa shall be required in case the person under para 2 possesses a residence card issued by a Member State of the European Union.

(4) Upon entry and leave of Republic of Bulgaria no stamp shall be placed in the passport of family member, who is not a European Union citizen, provided that he presents a residence card for the territory of a Member State of the European Union.

(5) In event that a European Union citizen or a member of his family, who is not European Union citizen, has none of the documents under para 1 and 2, prior to undertaking actions for non-admission, he shall be given the opportunity to obtain the documents required or to certify by other means that he is entitled to free movement.

(6) The refusal of entry and stay to the persons pursuant to paras 1 and 2 shall be reasoned and is subject to judicial review pursuant to the Administrative Procedure Code.

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**Note on translation:**

**Unofficial translation by Vesselin Paskalev**