The National Assembly Adopted the Labour Migration and Labour Mobility Act at Second Reading

The National Assembly adopted the Labour Migration and Labour Mobility Act at second reading on 13 April 2016. The same was promulgated in the State Gazette, No 33 of 26 April 2016. In accordance with §8 of the Act, it will enter into force on 21 May 201, except for Chapter Two, Section VIII concerning the permit to engage in a liberal profession, which will enter into force on 1 January 2017. The main objective of the Act is to harmonize the Bulgarian legislation in the field of the free movement of workers and the employment of foreign nationals of third countries with the existing EU acts, as well as to consolidate the existing legal framework in the field of labour migration and labour mobility, which is currently fragmented into pieces of legislation of different nature. For this purpose, the relevant parts of the existing Employment Promotion Act and the implementing secondary legislation are transferred into the new Act.

Each section of the chapter on the labour migration from third countries introduces specific procedures to give foreign workers from third countries access to the Bulgarian labour market, including the access to the exercise of liberal professions within the territory of the country.

The law contains a special chapter on the issues relating to the free movement of workers in the EU. The main objective is to ensure sufficient guarantees for the protection of the rights of nationals of other EU Member States, Member States of the European Economic Area, the Swiss Confederation and their family members within the territory of the Republic of Bulgaria.

The law is also intended to provide legal protection to the Bulgarian nationals working within the territory of third countries and, for this purpose, the chapter on the bilateral regulation of employment with third countries contains provisions which envisage certain obligations of the persons with the assistance and intermediation of whom Bulgarian nationals work in third countries.

The next stage of the process is expected to be the drafting of the Implementing Rules of the Labour Migration and Labour Mobility Act, which will provide detailed regulation of the specific procedures with regard to all regimes of access of foreign workers from third countries to the Bulgarian labour market and the relevant procedures in the labour mobility field.

CR legal DL 2018. Всички права запазени.