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|  | **REPUBLIC OF BULGARIA** |
| **MINISTRY OF FOREIGN AFFAIRS** |
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| **STATE PROTOCOL DIRECTORATE** |

No. 04-01-11

The Ministry of Foreign Affairs of the Republic of Bulgaria, State Protocol Directorate, presents its compliments to the diplomatic missions and consular posts accredited to the Republic of Bulgaria and representations of international organisations with headquarters in the Republic of Bulgaria and has the honour to notify recent amendments and supplements to Bulgarian legislation which affect the requirements for entry and stay in the Republic of Bulgaria of the employees of the diplomatic missions and consular posts, and of the representations of international organisations with headquarters in the Republic of Bulgaria and of the members of their families.

A legal framework for the types of cards that are issued has been laid down, and this legal framework is:

After registration under terms and according to a procedure established in a law or in an act of the Council of Ministers, the Ministry of Foreign Affairs will issue the following cards to foreigners who are members of the staff of a diplomatic mission or consular post, or of a representation of an international organisation with headquarters in the Republic of Bulgaria, and to members of their families:

1. card of a member of the diplomatic staff of a diplomatic mission or of a representation of an international organisation, accredited to the Republic of Bulgaria (**“diplomatic card”**);

2. card of a consular officer at a consular post (**“consular card”**);

3. card of a member of the administrative and technical staff of a diplomatic mission or of a consular post, or of a representation of an international organisation, accredited to the Republic of Bulgaria (**“administrative and technical staff card”**);

4. card of a member of the service staff of a diplomatic mission or of a consular post, or of a representation of an international organisation, accredited to the Republic of Bulgaria (**“service staff card”**).

After registration, the Ministry of Foreign Affairs will issue cards to the members of the families of the same type as the card of the card holder.

**TO**

**THE DIPLOMATIC MISSIONS AND CONSULAR POSTS**

**ACCREDITED TO THE REPUBLIC OF BULGARIA**

**AND TO THE REPRESENTATIONS OF THE INTERNATIONAL**

**ORGANISATIONS WITH HEADQUARTERS IN THE REPUBLIC OF BULGARIA**

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In particular, the provisions which regulated the issuance of residence permits by means of a **visa sticker to children aged under 14** of the employees of the diplomatic missions and consular posts and of the representations of international organisations with headquarters in the Republic of Bulgaria have been repealed and, effective as from 1 January 2017, **children aged under 14 will start to be issued cards of the same types as the ones which have been issued or are being issued to the card holder.**

The terms and procedure for applying for the cards remain unchanged and the hitherto effective procedure will apply to their issuance, including for children aged under 14, and namely:

* submission of a **request under a note** to the State Protocol Directorate of the Ministry of Foreign Affairs, stating name, rank and position of the card holder, date of arrival, date of termination of functions, the person whom the card holder replaces, unless the position is newly established, as well as names and capacity of the members of the family who accompany the card holder.

The note must be accompanied by:

* an **application/form**, completed and signed, using a model (as enclosed), in two originals. The application for the issuance of a card to a child aged under 14 must be signed by the parent who is a card-holding employee. **two photographs**, meeting the requirements of the form.
* a **national identity document** (passport, a document issued *in lieu* of a passport, identity card. For children who do not hold a document of their own, the note must be accompanied by a copy of the personal page and the page of the parent’s passport on which these children are entered).
* copy of a **birth certificate** (applicable only to children of the card-holding employee newly born in the territory of the Republic of Bulgaria).

The legal framework has particularised and defined **the range of persons who are considered members of the family of the card holder** who is member of the staff of the diplomatic missions and consular posts, and of the representations of international organisations with headquarters in the Republic of Bulgaria, who are issued the respective type of card.

Members of the family, unless otherwise provided for in a bilateral or multilateral international treaty, are the persons who form part of the household of the card holder and are:

1. spouse or registered partner, with whom the person is a *de facto* cohabitant;

2. descendants, including when they are descendants only of the person referred to in Item 1, who are aged under 21, are not married, and do not engage in gainful employment;

3. descendants aged between 21 and 26, including when they are descendants only of the person referred to in Item 1, who are not married and have enrolled as full-time students at a Bulgarian higher educational establishment;

4. descendants aged over 21, including when they are descendants only of the person referred to in Item 1, who have no personal income, are objectively incapable to provide for themselves, and serious health problems require the card holder to take care of them in person;

5. ascendants of the card holder or of the person referred to in Item 1, who are dependents and serious health problems require the card holder to take care of them in person: on conditions of reciprocity.

The cards of the members of the staff of the diplomatic missions and consular posts and of the representations of international organisations with headquarters in the Republic of Bulgaria, and of the members of their families are issued with validity for the **accreditation period** but no more than five years and **certify the immunities and privileges granted within the meaning of international law, as well as the right to multiple entry and stay in the territory of the country**, unless otherwise provided for in an international treaty which is in force for the Republic of Bulgaria or ensuing from the conditions of reciprocity.

The cards will be issued within 15 working days from the receipt of an application. After their validity expires, new cards will be issued, following the above-mentioned procedure. It is desirable that the request note should specify the deadline by which the respective type of card is requested to be reissued.

The cards **must be returned** when the accreditation period expires, when the person dies or is declared *non grata*.

The cards must be returned to the State Protocol Directorate, accompanied by a *note verbale* and a completed *form of return*, using a model which is enclosed.

The State Protocol Directorate will not issue cards to newly arrived members of a diplomatic mission/consulate or to members of their families unless the cards of their finally departed predecessors have been returned before that, as well as unless the rank and position which the diplomat or employee has are accurately stated.

The State Protocol Directorate does not issue cards to arrivals who are temporary substitutes for the card holders and to other persons seconded to the embassies. Such persons are subject to registration only and, to this end, the passport, two completed forms and two photographs must be sent under the note.

The State Protocol Directorate does not register parents and guests of employees of the missions.

The terms and procedure for the issuance of residence permits to children newly born in the territory of the Republic of Bulgaria to the accredited members (card holders) of the staff of a diplomatic mission or consular post, or of a representation of an international organisation accredited to the Republic of Bulgaria, have been facilitated, as they are no longer required to hold a long-stay visa and to furnish proof under Article 24 (2) of the Foreigners in the Republic of Bulgaria Act. The standard procedure for registration and issuance of a card, applicable to the card holder, does not apply to newly born children.

Another facilitation affecting the requirements for entry and stay of the members of the staff of the diplomatic missions and consular posts and of the representations of international organisations with headquarters in the Republic of Bulgaria is the lifting of the obligation **to provide fingerprints upon submission of an application for a long-stay visa** in the Republic of Bulgaria.

The following are exempt from the requirement to have their fingerprints taken upon submission of applications for long-stay visas: children aged under 12; persons appointed head of a diplomatic mission or consular post accredited for the Republic of Bulgaria or head of a representation of an international organisation in the territory of the country: where so provided for in an international treaty or on conditions of reciprocity; members of the diplomatic staff of the diplomatic missions and members of the consular staff of the consular posts accredited for the Republic of Bulgaria: where so provided for in an international treaty or on conditions of reciprocity; members of the staff of representations of international organisations in the territory of the country who enjoy diplomatic immunity by virtue of an international treaty.

Persons holding a long-stay visa and forming another part of the household of a foreigner who is a member of the family of an employee of the staff of the diplomatic missions and consular posts and of the representations of the international organisations with headquarters in the Republic of Bulgaria or who are private servants of any such foreigner (other than those of the card-holding employee) may obtain a durable residence permit under terms regulated on a self-standing legal basis. Such permits are issued by the Migration Directorate of the Ministry of Interior, and such persons are not subject to registration and issuance of cards by the Ministry of Foreign Affairs.

The Ministry of Foreign Affairs of the Republic of Bulgaria avails itself of this opportunity to renew to the diplomatic missions and consular posts accredited to the Republic of Bulgaria and representations of international organisations with headquarters in the Republic of Bulgaria the assurance of its highest consideration.

*[Signed illegibly]*

Enclosure: as above

*[Impression of a round seal inscribed in Bulgarian, in circumference: “*MINISTRY OF FOREIGN AFFAIRS \* REPUBLIC OF BULGARIA*”, and, centre, “*STATE PROTOCOL DIRECTORATE*”]*

Sofia, 3 January 2017