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### NEWS REPORT

<b>Country:</b>	Bulgaria
<b>Title:</b>	Reinforcing the rights of adoptive parents
<b>Date:</b>	11 September 2018
<b>Expert:</b>	Genoveva Tisheva
<b>Context:</b>	Reaffirming and reinforcing the rights of adoptive parents
<b>Issue at stake:</b>	Unclear impact of the changes on equal treatment of men and women in social security
<b>Ground of discrimination:</b>	Sex
<b>Source:</b>	Legislation, Amendment of the Labour Code With SG 30/2018
<b>Field:</b>	Parental leave and adoption leave
<b>Applicable law:</b>	Amendment of the Labour Code With SG 30/2018, Parental Leave Directive 2010/18/EU and of the work-life balance proposal (COM (2017) 253)

### Content

Adoptive mothers are granted special protection and rights under Article 163 paragraph 1 of the Labour Code.

Recently, new leave provisions have been introduced for adoptive parents with the adoption of Article 164b LC to the labour code which came into force on 1 of July 2018. These legislative amendments have enhanced compliance of Bulgarian Legislation with EU directives concerning parental leave and the work-life balance proposal.

The new law provides that an adoptive mother of a child is entitled to 365 days of leave from the adoption date onwards. The leave has to be used in full before the child reaches the age of 5. In case adoptive parents are married and the mother works for an employee, she can transfer part of this leave to the adoptive father after the first six months which are reserved solely for the adoptive mother. If one of the parents is deceased during the first five years of the adopted child's life, the leave can be taken by either parent of the mother or father.

In case the mother is the sole adoptive parent of a child and works for an employer, the leave mentioned above can be partially transferred to either of her parents. In case the father is the sole adoptive parent, he enjoys the same rights as the sole adoptive mother. The adoptive parents, or other relatives who are legally granted the right to parental leave, have the right to additional leave for caring for a child up to the age of 2 which is compensated by a social security payment according to the Law on Social security.

In case the adoptive mother and father are married or if they cohabit, and in case of a full adoption, the adoptive father of a child under five years of age has the right to 15 days of paternal leave from the day of the adoption until the child has reached the age of 5.

**Internet link source:** Labour Code of Bulgaria  
<https://lex.bg/bg/laws/ldoc/1594373121>.