

List of Changes Made by the Amendment to the Act on the Residence of Foreign Nationals with effectiveness from August 15th, 2017

(by Act No. 222/2017 Coll., amending Act No. 326/1999 Coll., on the Residence of Foreign Nationals in the Territory of the Czech Republic and on Amendments to Some Acts, as amended, and other related Acts)

- **Administrative fees**

- For applications filed by **third country nationals** in the territory of the Czech Republic, administrative fees have been introduced for reception of the application. **No administrative fee** will continue to be charged for reception of an application for a certificate of temporary residence (EU citizens), for temporary residence permit and for permanent residence permit of an EU citizen or their family member.

- Administrative fees are collected in the form of a **fee stamp**. It is not possible to pay an administrative fee in cash or with a payment card because the offices of the Ministry of the Interior are not equipped for that – there are no cash registers or terminals for receiving payments made by a card in the offices.

ISSUE OF A RESIDENCE PERMIT		
Type of application	Fee	
	for reception of an application	for issue of a card
application for issue of a long-term residence permit	1,500	1,000
<i>- application from a person younger than 15 years</i>	700	300
application for issue of an employee card	1,500	1,000
application for issue of a Blue Card	1,500	1,000
application for issue of a card of an intra company transferred employee	1,500	1,000
application for a permanent residence permit	1500	1,000
<i>- application from a person younger than 15 years</i>	700	300
application for issue of a long-term residence permit to allow exceptional leave to remain	300	200

RENEWAL OF A RESIDENCE PERMIT OR A CARD		
Type of application	Fee	
	for reception of an application	for issue of a card
application for renewal of a long-term residence permit	1500	1,000
<i>- application from a person younger than 15 years</i>	700	300
application for renewal of an employee card	1,500	1,000
application for renewal of a Blue Card	1,500	1,000
application for renewal of a card of an intra company transferred employee	1,500	1,000
application for renewal of a permanent residence permit card and a recognised refugee's residence permit card	1500	1,000
application for renewal of a card of a person under temporary protection	700	300
application for renewal of a long-term residence permit to allow exceptional leave to remain	700	300

- **Long-term residence permit**

- An application for renewal of all long-term residence permits (including employee cards) is to be filed more than **120 days** before the expiry date of the existing permit.

- If the time limit for filing an application for renewal of a long-term residence permit (for residence based on a long-term visa) or renewal of a long-term residence permit ends on a Saturday, Sunday or a public holiday, the application **can still be filed on the following workday**.
- New types of long-term residence permits have been introduced, specifically a card of an intra company transferred employee (for foreign nationals who are transferred within a company from a state, which is not an EU member state, to the Czech Republic) and a card of an intra company transferred employee from another member state of the European Union (for foreign nationals who have already been transferred within a company to an EU state and wish to be transferred from that state to the Czech Republic now).

- **Long-term residence permit for the purpose of business**

- The new required attachment to the application is a **document on confirmation of no outstanding payments** or a **document on confirmation of no outstanding payments of a business corporation** where the foreign national is a statutory body.

Absence of outstanding payments is to be proved by certificates from:

- the authorities of the Financial Administration of the Czech Republic (Tax Authority);
- the authorities of the Customs Administration of the Czech Republic;
- the district (municipal, Prague) social security administration;
- the relevant medical insurance company, if the foreign national participates in public medical insurance.

The certificate must not be older than 30 days.

- A foreign national will not be eligible to apply for a new long-term residence for the purpose of business (referred to as the “change of purpose”) until he or she **stays 5 years in the territory of the Czech Republic. Foreign nationals who are staying in the country with a long-term residence permit for the purpose of family unification are exempt from this rule.**
- **Absence of outstanding payments** is assessed for a long-term residence for the purpose of investment, both for an application for a permit and for an application for its renewal, as well as in the proceedings on an application for a long-term residence permit for the purpose of business. If a business corporation, in which or to which a foreign national is transferred on an intra company basis, stops being free of debt, the validity of the foreign national’s card of an intra company transferred employee or the card of an intra company transferred employee from another member state of the European Union can be terminated.

- **Employee cards**

- It is not possible to issue or renew an employee card of a foreign national who holds the position of a partner (including a member of a cooperative), the position of a member of a statutory body or another body of a commercial company or holds the position of a member of a cooperative or the position of a member of a statutory body or another body of a cooperative and performs tasks for this legal entity arising from the type of its activity defined in its objects clause.
- A holder of an employee card has a possibility to find a new employment within 60 days of the termination of his or her employment, for which the employee card was issued to him or her, and to apply for an approval of the change of his or her employer no later than within this time limit. **Otherwise the validity of the employee card will be terminated.**

- An applicant for renewal of an employee card has an opportunity to find a new employment within 60 days of the termination of his or her employment, for which the employee card was issued to him or her, and to apply for an approval of the change of his or her employer no later than within this time limit. If a foreign national residing in the country with a permit referred to in Section 47, par. 4 of the Act on the Residence of Foreign Nationals (referred to as the “fiction of validity of an employee card”) fails to apply for the approval within 60 days of the termination of the employment, **the fiction of validity of an employee card will be terminated** and the foreign national will be obliged to leave the territory of the Czech Republic.
 - A new required attachment to an application for **approval of a change of employer** filed by a holder of an employee card is a document confirming that the employment, for which the employee card was issued, continues to exist or that it ended less than 60 days ago. (A certificate from the employer on the continued existence of the employment, a notice of termination of employment, an agreement on termination of employment can be such a document).
 - If a holder of an employee card is employed in an additional job position, the condition that the weekly working hours must be at least 15 hours and that at least the minimum wage must be paid will be waived.

- **Temporary residence permit for a family member of an EU citizen**
 - An application for a temporary residence permit is to be filed **in person** in an office of the Ministry of the Interior.
 - A third-country national who is a family member of a citizen of the Czech Republic staying in the territory of the Czech Republic without authorisation or with an exit order (except for an exit order issued after expiration of the period of subsidiary protection granted in the Czech Republic and after waiver of an asylum granted in the Czech Republic) is not eligible to file an application for a temporary residence permit – the fiction defined in Section 87y of the Act on the Residence of Foreign Nationals will not benefit such an application and the proceedings on his or her application will be discontinued pursuant to Section 169r(1)(j) of the Act on the Residence of Foreign Nationals.

- **Permanent residence permit**
 - A permanent residence permit without the condition of previous uninterrupted stay in the territory of the Czech Republic for the reason of a partnership with a foreign national with permitted permanent residence in the country will no longer be issued to a foreign national who applied for it as an adult dependent child of such foreign national. Under the specified conditions, it will only be possible to issue a permanent residence permit to a minor foreign national.

- **Long-term visas**

- An application for renewal of the validity and the period of stay with a long-term visa is to be filed at least **90 days** before its expiration date.
 - Failure to submit the required attachments to an application for issue or for renewal of the period of validity or residence with a long-term visa when such an application is filed will result in such an application being **inadmissible** and the proceedings on such an application will not be commenced. If a foreign national files such an application, he or she will not even acquire the authorisation to stay defined in Section 60(4) of the Act on the Residence of Foreign Nationals (referred to as the “fiction of the validity of a long-term visa”).
 - Furthermore, if an application for issue or renewal of the period of validity or residence with a long-term visa was not filed using the official application form or if the administrative fee for its reception was not paid, such an application will also be **inadmissible**.
 - A new purpose of a long-term visa has been introduced, specifically a long-term visa for the purpose of seasonal employment has been introduced.
- **Filing an application**
 - An application for a long-term visa and an application for a long-term residence permit or a permanent residence permit is inadmissible, if the foreign national did not make a prior appointment at the embassy for filing the application.
 - It is mandatory to submit the originals of the travel document, documents from the vital statistics office and the document on the purpose of residence in the territory of the Czech Republic.