



## Human Capital News

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- ▶ A new procedure for extension of the duration of stay in Ukraine for foreign nationals and individuals without citizenship as well as a procedure for issue of a temporary residence permit have been adopted.

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**Resolutions of the Ministry of Internal Affairs of Ukraine "On the Procedure for extension of the duration of stay in Ukraine for foreign nationals and individuals without citizenship" of 23 August 2011 #601 (further - the Resolution #601) and "On the Procedure for issuance of a Ukrainian temporary residence permit" of 23 August 2011 #602 (further - the Resolution #602) have been registered at the Ministry of Justice of Ukraine. The above resolutions come into force at the day of their official publishing.**

▶ According to the Resolution #601, foreign nationals or individuals without citizenship have to apply for extension of the duration of stay in Ukraine at their place of residence in Ukraine to the local immigration authorities not earlier than 10 days and not later than 3 days before the registration expiry (the term of 90 days cumulatively within the 180 days period).

The duration of stay in Ukraine for foreigners and individuals without citizenship can be extended for the whole period of existence of the grounds stated in an individual's application. At the same time, duration of stay of a foreign individual cannot exceed 180 days from the date of his/her last entry to Ukraine. The new Procedure also stipulates the possibility for extension of the duration of stay for the foreigners and individuals without citizenship for the period longer than 180 days.

The new Resolution provides for the list of documents required apply for the extension of the duration of stay in Ukraine for foreigners and

individuals without citizenship. However, the Resolution does not provide for the exact list of grounds for the extension of duration of stay in Ukraine.

▶ The Resolution #602 stipulates the procedure for issuance a temporary residence permit, which has not been approved at the legislative level before. Under the new procedure, a temporary residence permit can be granted to foreign individuals:

- ▶ possessing a work permit in Ukraine;
- ▶ participating in implementation of the international technical support projects on the territory of Ukraine;
- ▶ arriving to Ukraine to work at religious organizations;
- ▶ arriving to Ukraine to work at the branches, departments, representative offices or other structural units of foreign non-governmental organizations in Ukraine;
- ▶ arriving to Ukraine to work at a representative office of a foreign company in Ukraine;
- ▶ arriving to Ukraine to work at a representative office of a foreign bank in Ukraine;
- ▶ in other cases prescribed by the law.

The new Resolution provides for the list of documents required to apply for a temporary residence permit in Ukraine. Temporary residence permits issued prior to the Resolution #602 enforcement are valid until their expiry.

Application for temporary residence permit should be considered within 15 days.

For those foreigners who have work permits, temporary residence permits shall be granted for the period of their work permits validity and can be extended in case of work permits extension. Temporary residence permits for the foreigners participating in the international technical support projects shall be granted for the period of such projects duration. In other cases, in particular, for the individuals arriving to Ukraine to work at a representative office of a foreign company or a bank in Ukraine, temporary residence permits shall be granted to the foreigners and individuals without citizenship for the period of one year and can be extended for one more year.

Foreign individuals have to leave the country within 7 days after their residency permits' expiry.

We will continue to keep you updated on issues related to immigration, personal income taxation and other human capital matters.