



# Global Immigration alert

August 2024

## Slovakia

Slovakia introduces several immigration changes, impacting Blue Card applicants and other third-country employees

### Executive summary

On 15 July 2024, Slovakia implemented amendments to Act no. 404/2011 Coll. on the Residence of Foreigners, impacting both employers and third-country nationals.

### Key developments

The amendments include the following:

- ▶ **EU Blue Cards:**
  - ▶ EU Blue Cards are now valid for a maximum period of five years (up from four years previously).
  - ▶ The minimum salary requirement was reduced from 1.5 times the average monthly salary of the calendar year preceding the year in which the application is submitted, to 1.2 times this amount.
  - ▶ Applicants employed in the fields of IT and communication technologies can now demonstrate professional experience through a higher education diploma (i.e., a bachelor's or master's degree) or relevant work experience of at least three years in the seven years prior to filing the Blue Card application. Previously, these individuals were required to hold a master's degree as proof of their professional experience.
  - ▶ In addition to working for the Slovak employer that sponsors their EU Blue Card, holders can now take up other jobs or conduct their own business activities.
- ▶ **Employment of third-country nationals:**
  - ▶ The authorities will now process residence permit applications for the purpose of employment within 60 days, down from 90 days previously.
- ▶ Employers that seek to hire third-country nationals must submit an application to the local Labor Office seeking confirmation regarding the individual's employability (i.e., a confirmation of the possibility to fill a vacancy). The Labor Office will issue the confirmation within 15 days. Previously, individuals were required to submit this application themselves to the Foreign Police Department.
- ▶ Third-country nationals can submit a temporary residence application to the Foreign Police Department only after the Labor Office has issued the confirmation mentioned above. Applicants can start working once they file the complete application with the Foreign Police Department.
- ▶ **Long-term residence:**
  - ▶ Effective 15 July 2025, applicants must demonstrate knowledge of the Slovak language by clearing an A2 level language exam. Currently, applicants are not required to meet a language requirement.
  - ▶ Individuals who seek to apply for long-term residence are required to have five years of legal and continuous residence in Slovakia to be eligible. However, applicants can now stay outside the EU for up to 12 consecutive months, or up to 18 months cumulatively, without impacting their required five years of residence in Slovakia. This exemption was not available previously.
  - ▶ Those who hold a residence permit for the purpose of study in another EU Member State can count half the time they spent in that EU Member State towards their

required five years of legal and continuous residence in Slovakia (e.g., an individual who has resided in another EU Member State for two years based on a residence permit for the purpose of study, and in Slovakia for four years, will be considered to have completed five continuous years of legal and continuous residence in Slovakia and will be eligible to apply for long-term residence in Slovakia).

- ▶ **Permanent Residence for Five Years:** Individuals who are awaiting a decision regarding their permanent residence application can continue to remain in Slovakia even if they do not hold a valid visa or permit, provided they have submitted the complete application. Previously, these individuals were required to leave the country during the application adjudication process if they did not hold a valid visa or permit.
- ▶ **Change of purpose of residence:**
  - ▶ Individuals who hold a residence permit for the purpose of employment can request a change in their purpose of residence to business after 12 months from the day they were granted the permit. Previously, they could apply to change their purpose of residence from employment to business anytime.
  - ▶ Individuals who hold residence permits for study purposes must clear their high school or university final exams before applying for a change in their purpose of residence. Previously, students were not required to finish their course to apply for a change in their purpose of residence.
- ▶ **National Visas:** Individuals can now apply for National Visas through an external service provider authorized by the Slovak Ministry of Foreign Affairs. Previously, individuals had to apply directly at the Slovak embassy in their home country.
- ▶ **Other updates:**
  - ▶ Individuals who hold temporary residence for business purposes and seek to renew their authorization must repay all outstanding debts (if any) within 20 days of submitting the renewal application. Previously, individuals who had outstanding debts could not apply to renew their authorization.
  - ▶ Third-country nationals must now present their valid passports when departing from Slovakia. Previously, they were not required to present any document when departing.

### Impact on employers

These changes are expected to benefit employers by simplifying EU Blue Card application requirements and make Slovakia a more attractive destination for highly qualified third-country nationals.

### Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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