

Immigration Newsflash

The Amendment to the Act on Residence of Foreign Nationals in the Territory of the Czech Republic has finally been adopted

The Chamber of Deputies has adopted the Amendment to the Act on Residence of Foreign Nationals in the Territory of the Czech Republic during its seventh session in the third reading.

After approximately two years of preparations of new legal provisions related to the residence of foreign nationals in the country, the Ministry of the Interior postponed the Amendment to the Act on Residence of Foreign Nationals in the Territory of the Czech Republic due to a large number of objections at the end of summer 2013. It is currently not known when and if the amended act becomes effective. Due to the fact that the amendment was to solve the implementation of the EU single permit directive, which the Czech Republic was obliged to implement by 25 December 2013, the Czech Ministry of the Interior prepared a partial amendment to the current legal provisions related to foreign nationals, implementing a single work and residence permit for economic migrants, the so-called employment card.

An interesting provision incorporated in the amendment by the Social Policy Committee is that a foreign national assigned to a Czech company by his/her foreign employer for the purpose of enhancing his/her qualifications for a maximum of 6 months will not need a work permit.

Last but not least, the amendment increases the responsibility of Czech companies employing foreign nationals; if an employer employs foreign nationals illegally, he/she will not be allowed to employ foreign nationals for the period of one year.

Deloitte's comparative study focusing on the immigration policy of all EU member states demonstrates that only 35% of EU countries have already implemented the directive so that they already issue a single work and residence permit.

Furthermore, the amendment cancels the so-called green card, which already was a single permit but owing to its nature, it did not meet the needs of foreign nationals and their employers in the Czech Republic and was therefore not used to a large extent.

The adopted amendment is to enter into force in July or August 2014. We will keep you informed you about the exact final wording in the future.

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