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Foreigners working in Serbia

Procedure for obtaining residence and work permit

Belgrade, August 2021



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Publication

Over the years, we've seen an increase in the number of foreign citizens coming to live and work in Serbia.

To make relocation to Serbia easier, we've prepared this Publication to enable you to easily understand the procedure for obtaining and extending residence and work permit in Serbia, in most cases a necessary precondition for foreigners planning to work in Serbia.

In this Publication, we shall explain the procedure for obtaining (and extending) residence and work permit in Serbia, focusing on [foreigners planning to relocate to Serbia and form a regular work relationship](#) with Serbian employers.

If you're an [entrepreneur](#) planning to work or form a company in Serbia, check out [section III](#) of this Publication on what is the best way to obtain a residence and work permit.

Although our focus here will be on foreigners planning to work in Serbia, there is a way to obtain a residence permit in Serbia on [other grounds](#) as well. Overview of other grounds for obtaining a temporary residence permit in Serbia you can find in [section V](#) of this Publication.

Did you know that:

Serbia is not (yet) part of the EU, and thus to reside and work in Serbia, as a national of an EU country, you will most likely need a residence and work permit.

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Stanković Law Office

No. 19, Kneza Miloša St., Belgrade, Serbia
stankoviclaw.com | stankoviclaw.rs
info@stankoviclaw.rs | + 381 11 451 84 03

In Serbia, precondition for obtaining work permit is ensuring you have a valid temporary or permanent residence permit (or at least Visa D – more about it in section IV of this Publication), regulating your stay in Serbia.

Authority in charge for issuing residence permits in Serbia is Ministry of interior, i.e., its field office in the city where you plan to reside. For temporary residence permit you can also apply online via <https://livinginserbia.gov.rs/> (from Serbia or from abroad), but even in that case you would need to be physically present in Serbia to receive your temporary residence permit, as it is to be placed in your passport.

Temporary Residence permit

Temporary residence permit is issued to foreigner intending to reside in Serbia for a period longer than 90 days if one of the grounds for its issuing, such as employment, exists. It can also be issued to a foreigner intending to stay in Serbia less than 90 days within a period of 180 days if he or she intends to work in Serbia during that period and needs a work permit to be working in Serbia.

This type of residence permit can be issued for a period of up to one year, but it can be extended more than once for the same period, if reasons for allowing temporary residence still exists.

Request for issuing temporary residence permit can be submitted by a foreigner that does not need a visa to enter Serbia and that legally entered Serbia. Foreigners that need a visa to enter Serbia, must have a valid Visa D (not any other visa) when submitting request for issuing a temporary residence permit, even in the case when request is submitted electronically and from abroad. Also, in this case Visa D must be issued on the grounds of employment and not on any other ground.

Did you know that:

Serbia has a very liberal visa regime with a significant number of countries (including all EU countries), meaning that you most probably won't need a visa to enter Serbia. More about Serbian visa regime, you can find at: <https://www.mfa.gov.rs/en/citizens/travel-serbia/visa-regime>.

When applying for a **temporary residence permit on the grounds of employment**, you must submit the following documentation:

- 1) Application Form, which you can find [here](#). If you're applying online, you can do that through an e-government portal which you can find at: <https://euprava.gov.rs/usluge/6520> and in which case you need to follow up instructions on the portal.
- 2) Copy of your passport. Please note that your passport must be valid at least three months after the expiration of intended temporary residence.
- 3) Two face photos in color, dimensions 35*45mm. This is to be submitted only when you're applying for

the first time for your temporary residence permit, not when you're applying for an extension of your temporary residence permit.

- 4) Evidence of means for subsistence during the planned stay. For this you can use either Employment Agreement, confirmation from a Serbian bank that you have an account with funds at least equal to a minimum wage, certified guaranty from your employer that he will cover your expenses during stay, or some other allowed evidence.
- 5) Proof of place of stay or residential address in Serbia. When you enter Serbia, person with whom you're residing is obliged to report your place of stay within 24 hours upon your arrival to the field office of the Ministry of interior. If that is the same address on which you will be living at (residential address), you can use that Registration of place of stay as evidence in this matter. If it is a different address (for e.g., you stayed at a hotel or with a friend upon your arrival and they reported your place of stay, but you will rent an apartment to live in), you will need to obtain a written consent of the apartment's owner or his/her proxy that you can register your residential address there and to submit that consent together with the request for temporary residence permit.
- 6) Proof of existing health insurance. For e.g., European Health Care Insurance Card or another acceptable evidence, depending on whether Serbia has an agreement on social insurance with your country. In some cases, instead of an Insurance Card you can provide a written confirmation of your Serbian employer that he shall cover expenses of your medical treatments in Serbia.
- 7) Evidence regarding your employment in Serbia, in particular:
 - a) Extract from the Business Register Agency for your employer.
 - b) Your Employment Agreement or some other agreement proving your employment engagement in the Republic of Serbia, in accordance with Labor Act.
 - c) Report from the National Employment Agency that requirements for your employment in Serbia are met (it is to be provided by your Serbian employer). Here you only need to remember that this is submitted only if you're for the first time entering a work relationship with your Serbian employer, not when you're extending your temporary residence permit or work permit.
 - d) In case you're extending your current temporary residence permit, you need to provide a copy of your current work permit.
- 8) Proof of payment of the prescribed administrative fee. You need to pay in total three fees, whose amount can vary, and it is best to check precise amount of the fees and payment instructions a couple of days before planned submission of request. Usually, this is expense between 150,00 and 200,00 EUR for all three fees.

Did you know that:

You can conclude an Employment Agreement with your Serbian employer before obtaining residence or work permit, but it's coming to force and your commencement of work must be conditioned by obtaining necessary permits, otherwise you and your employer can commit punishable offence.

Upon submitted request, and if provided documentation is valid and sufficient, competent authority issues residence permit within 30 days. In practice, this type of request is usually processed and resolved within two weeks.

When your temporary residence permit is issued, you will need to go to the field office of Ministry of interior so that officials can place residence sticker into your passport. Only in exceptional cases it is allowed that your passport is taken over by a proxy for this purpose.

Stanković Law Office

No. 19, Kneza Miloša St., Belgrade, Serbia
stankoviclaw.com | stankoviclaw.rs
info@stankoviclaw.rs | + 381 11 451 84 03

Extending your temporary residence permit. When your temporary residence permit is close to expiry and you would like to extend it for another year, remember that you need to file a request not earlier than three months and not later than 30 days before expiration of the current temporary residence permit. In that case you will need to go through this procedure again but will need to provide less and some different evidence, and procedure is going to be simpler.

Permanent Residence permit

If you are residing in Serbia long enough and don't want to bother with applying for temporary residence permit every year, you can apply for permanent residence permit, conditioned that you fulfill all requirements prescribed by the Law on Foreigners and applicable bylaws.

Mainly, to apply for this type of residence permit, you would need to be effectively residing in Serbia for at least 5 years, without interruptions (without leave exceeding 10 months in total or more than 6 months for a one departure). Also, you won't be eligible for this type of residence permit if your stay is based solely on the grounds of studying or schooling.

When requesting for permanent residence, you must have valid temporary residence permit and provide the same evidence as for a temporary residence permit. Note that fees vary and need to be paid according to the instructions for permanent residence permit.

Permanent residence will allow you not only to stop bothering with extending your temporary residence every year but will also make you eligible for personal work permit which is a type of work permit with most extensive scope of rights.

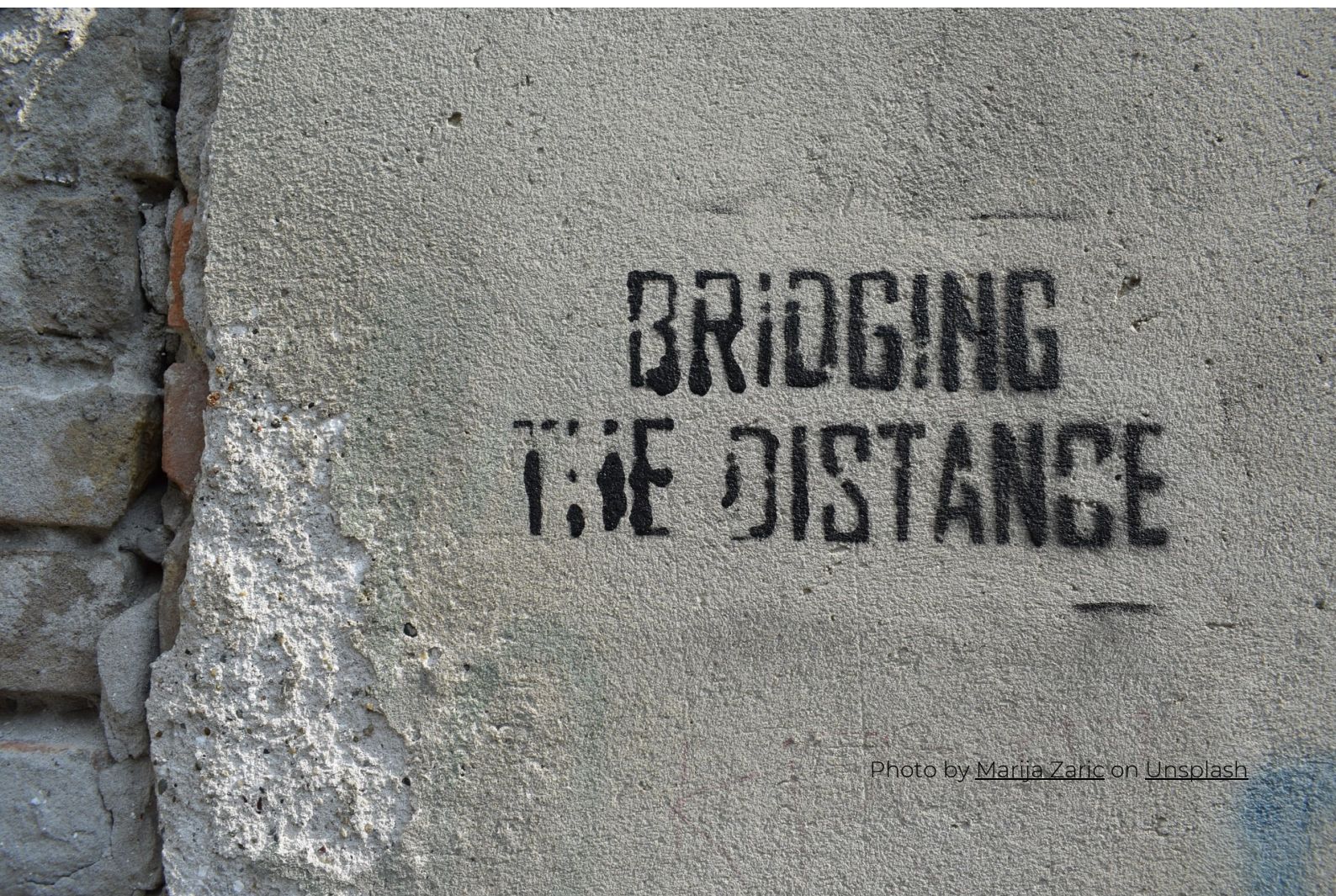


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Work permit is issued to foreigners, and it allows them to be employed or self-employed in Serbia.

Authority in charge for issuing work permit is National Employment Agency (NEA), i.e., its local field office. Request for a work permit can be submitted personally, but also via post office and electronically via email. If you decide to submit a request electronically, more info you can find on official NEA website (unfortunately only in Serbian for now) [here](#).

Also, as mentioned above, to be eligible for a work permit, you need to have temporary or permanent residence permit, or at least Visa D issued for the purposes of employment. Fulfillment of this condition NEA checks through official channels, meaning you don't need to provide evidence for it, just make sure you fulfill this condition before submitting request.

In Serbia, there are two types of work permits (1) personal work permit and (2) (regular) work permit.

Regular work permit can be issued for:

- a) Employment (with a specific employer);
- b) Self-employment (see section IV of this Publication – for investors and entrepreneurs planning to work in Serbia) and
- c) For special types of employment (such as for persons temporarily assigned to work in Serbia by their foreign employer, employee movement within a group of companies, independent professionals and training and education).

Personal work permit

Personal work permit enables foreigner to:

- a) Enter a work relationship with any employer (as opposed to a regular work permit which enables you to be employed only on the grounds and/or with the employer stated in the permit),
- b) Be self-employed (you can achieve that with regular work permit as well, but with some restrictions),
- c) To exercise rights in case of unemployment, which you cannot exercise in case you have a regular work permit.

Aside from some exceptions (like for immediate family member of a Serbian citizen), main precondition for you to be eligible for Personal work permit is that you have Permanent residence permit in Serbia.

When submitting request for a Personal work permit, which you can find [here](#) (again, only in Serbian), you need to provide to the NEA the following documents:

- a) Copy of your passport, i.e., personal ID card if you have one and
- b) Proof of payment of the prescribed administrative fee. You need to pay in total two fees, whose amount can vary, and it is best to check precise amount of the fees and payment instructions a couple of days before planned submission of request. Usually, this is expense around 140,00 EUR for both fees.

Upon submitted request, and if provided documentation is valid and sufficient, NEA issues you a Permanent work permit within 30 days and sends it to your address stated in the submitted request.

When issued, your Personal work permit shall be valid until you are fulfilling conditions prescribed for its issuing. Meaning, it will cease to be valid if you lose your permanent residence in Serbia, but also if you spend more than 6 continuous months outside of Serbia.

Regular work permit

To qualify for this type of work permit (officially called Work permit for employment), you need to have a Visa D or Temporary residence permit. This type of work permit is issued for the duration of your employment (if it is for a limited period), but in any case, for the period corresponding to your allowed stay in Serbia stated in your Temporary residence permit or Visa D. Practically, this means that request for extension of this work permit needs to be submitted every year, after you extend the period of your Temporary residence permit.

Also, note that regular work permit is issued at the request of your Serbian employer (not at your request!) and it will enable you to work in Serbia, but only with the employer who submitted request that you be issued a work permit and only for performance of work for which it was issued.

Since this work permit is to be issued at the request of the employer, the employer shall need to pay prescribed fees and is not allowed to transfer this expense to the employee.

Practical tip:

For this type of work permit, NEA sometimes refuses a proof of payment of fee that is not executed directly by the Employer, so pay attention to that when submitting request or paying fee.

Although this request will be submitted by your employer who will need to provide evidence prescribed by the Law on employment of foreigners and accompanying bylaws, you will have to provide to your employer part of the needed evidence for this procedure. Those evidence are:

- a) Copy of your passport,
- b) Diploma or other proof that you have necessary qualifications for the work position on which you will be hired and
- c) Signed Employment Agreement.

Upon submitted request, and if provided documentation is valid and sufficient, NEA issues Work permit for your employment within 30 days and sends it to your employer.

This procedure is to be repeated, i.e., your Work permit extended (but with much less evidence provided by your employer and you) every time you extend your Temporary residence permit, as this Work permit cannot last longer than your allowed stay in Serbia. Request for extension must be submitted before its expiry, otherwise your employer would have to conduct this procedure as if you're for the first time entering a work relationship (which for him is much more complicated) and in the meantime you won't have a work permit and won't be able to work.

Practical tip:

To be sure that request for extension of your Work permit can be submitted on time, it is best that you apply for extension of your Temporary residence permit at least 2 months before its expiry, so you are sure you will have new Temporary residence permit issued before request for extending Work permit needs to be submitted.

Work permit for special types of employment

Work permit for special types of employment can be issued for:

- a) Persons temporarily assigned to work in Serbia by their foreign employer, for e.g., on some construction project, for the period of its duration,
- b) Intra group movement between a group of companies, for e.g., if you work in a foreign company abroad and are referred to spend some time in a Serbian company from the group,
- c) Independent professionals and
- d) Training and education.

All those work permits are to be issued at the request of the Serbian employer, i.e., business partner (except Work permit for the purpose of Training and education which can be issued at the request of a foreigner as well).

Their validity is limited up to one year, i.e., for the period of validity of Visa D or Temporary residence permit. In exceptional cases, some of them can be extended for up to two years in total with initial validity period if prescribed conditions are met.

Is there a way in which you can simultaneously submit request a for a residence and work permit?

Short answer would be yes. But this procedure will not necessarily be easier. Although in November 2020 a Rule book on unique request for issuing, i.e., extending temporary residence and work permit has been introduced and new Form of request adopted, in practice, and according to the Statement of the NEA, both procedures are still conducted separately and after initial submission of the request you are still expected to communicate with both competent authorities and to provide them evidence. Also, the fees remained the same.

Section III —

What about INVESTORS AND ENTREPRENEURS planning to work in Serbia?

Serbian regulations have various incentives for foreigners willing to come to Serbia and do business in our country. One of those incentives is aimed at making it easier for foreign investors or entrepreneurs to obtain residence and/or work permit in Serbia.

Did you know that:

You can form a company in Serbia and be appointed as its only CEO (director) without having a residence or work permit? Nevertheless, if you plan to physically stay in Serbia for a longer period, you might need to obtain a temporary residence and work permit.

If you are a foreigner who doesn't need a visa to enter Serbia (check it [here](#)), and if your planned stay in Serbia is less than 90 days within a period of 180 days, you don't need to apply for temporary residence permit. In that case, you don't need a work permit either if you're registered as a representative or owner of a Serbian company but aren't in a work relationship with that company (for e.g., you have a Managerial contract or no contract at all, instead of a standard Employment Agreement).

On the other hand, if you plan to stay in Serbia longer than 90 days, you will need a Temporary residence permit and a Work permit.

Also, as every foreigner needs to have registered place of stay in Serbia within 24 hours of his or her entry in the country, and if you're not staying in a hotel or some other accommodation where the owner shall register this for you, you might want to obtain a Temporary residence permit, so you don't bother with registering place of stay every time you enter Serbia.

In case that you need (or want) to obtain Temporary residence permit and a Work permit, Serbia adopted regulations simplifying the procedure for foreign investors and entrepreneurs planning to work in Serbia as a way of stimulating economy growth.

Temporary residence in case of a foreign CEO of a Serbian company or foreigner registered as an entrepreneur in Serbia

If you're registered as a director of a Serbian company, or you have registered yourself as an entrepreneur in Serbia, you can file a request for Temporary residence permit on the grounds of employment (regardless of you not having a standard Employment Agreement). In that case, instead of submitting all that evidences for your employment in Serbia as in regular cases, you only need to provide Excerpt from the Business register Agency for your Company in which your status is stated.

When submitting request for extending your Temporary residence permit, you would, as in regular cases, need to submit your existing Work permit.

Did you know that:

Government of Serbia adopted a Decision to make it easier for foreigners who founded registered and acknowledged startup Company in Serbia to obtain a Temporary residence permit.

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stankoviclaw.com | stankoviclaw.rs
info@stankoviclaw.rs | + 381 11 451 84 03

Work permit for self-employment

Foreigners intending to do business in Serbia have the possibility to obtain Work permit for self-employment in a procedure that is simpler than for other types of work permit. But bear in mind that basic condition of possessing Visa D or Temporary residence permit applies here as well.

With the request for issuing Work permit for self-employment, Foreigner is obliged to deliver to the NEA the following documents:

- a) Copy of a passport;
- b) Statement on planned activities, including the number of people planned for hiring;
- c) Document confirming that foreigner has necessary qualification for performing planned activities (for e.g., Faculty Diploma) with certified translation;
- d) Lease Agreement or some other Agreement as a proof that premises for the offices are found;
- e) Proof of paid administrative fee, as in regular cases.

Rules regarding period of validity and extending this Work permit are corresponding to those regarding Regular work permit. Only documentation shall be a bit simpler, i.e., when applying for extending of your Work permit for self-employment you won't need to submit documents under b) and c).

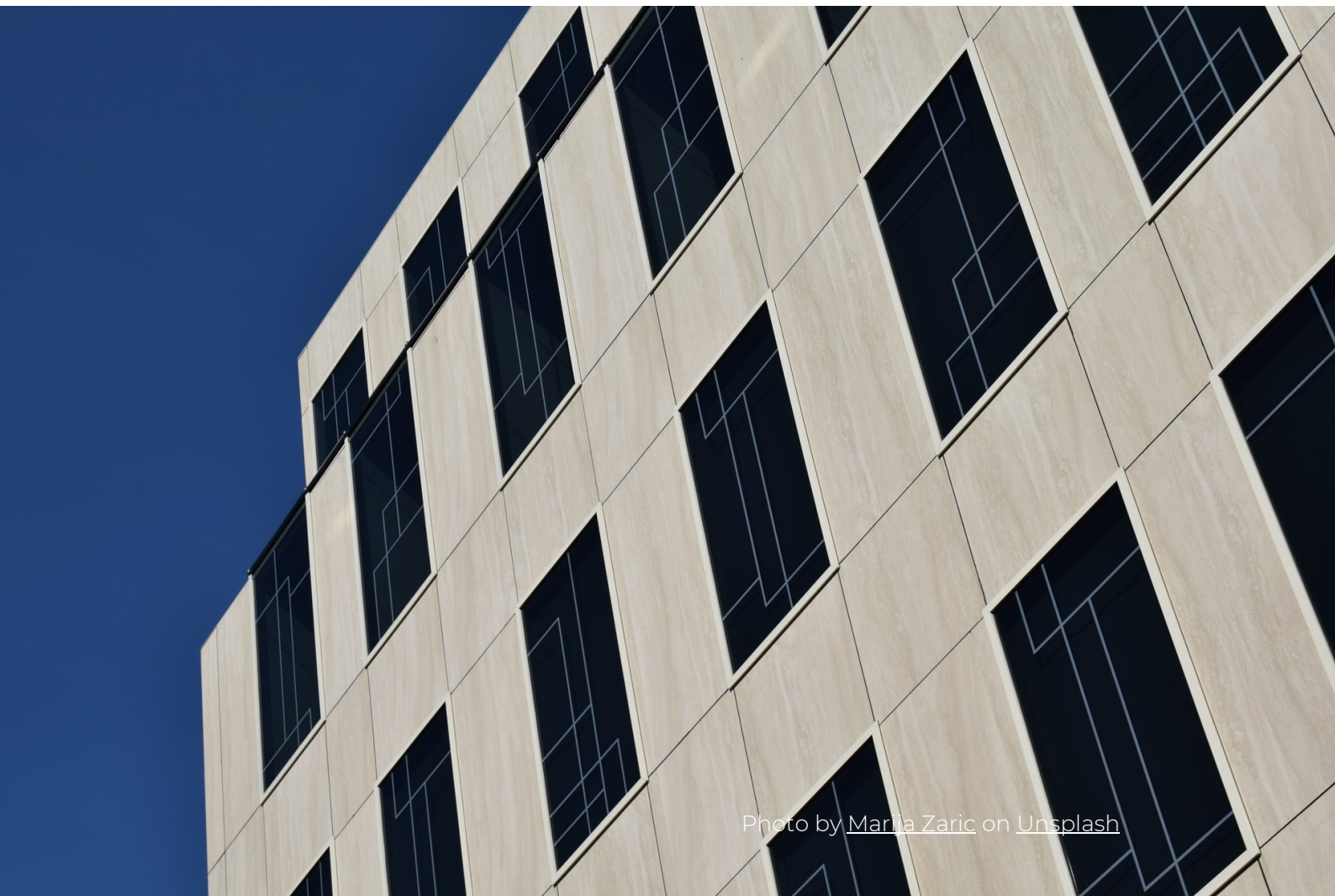


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Section IV —

Visa D, the fastest, but maybe not the best way to a work permit

Visa D is a Long-Term visa, allowing foreigner to stay in Serbia between 90 and 180 days.

Aside from foreigners who need a visa to enter Serbia and who, as mentioned above, need to have a valid Visa D when applying for a Temporary residence permit, Visa D can be obtained by foreigners who don't need a visa to enter Serbia, but who intend to work in Serbia. This second category of foreigners can opt to firstly obtain Visa D on the grounds of employment and based on it, instead based on Temporary residence permit, to obtain a Work permit.

This might be a better way, as Visa D can be obtained without previously entering Serbia, and it will enable you to finish entire procedure for obtaining a work permit until your arrival in Serbia, so when you arrive in Serbia you can start working immediately. That won't be the case if you obtain your Work permit based on Temporary residence permit. In that case you would need to be present in Serbia at least once during the process of obtaining Temporary residence permit, meaning before your Work permit is issued. So, in that case you would be able to reside in Serbia but won't be able to work until your Work permit is issued.

Although this seems as a better way (without a time gap between coming to Serbia and starting to work in Serbia), foreigners mostly opt to avoid it, as this Work permit (based on Visa D) can last only up to 180 days, which is the longest validity of this type of Visa, and until that time the foreigner must apply for a Temporary residence permit and after that for extension of Work permit based on Temporary residence permit.

Authority in charge of issuing Visa D is Serbian Ministry of foreign affairs, i.e., our diplomatic consular mission in your country. Also, you can apply online via <https://euprava.gov.rs/usluge/6505>.

Note that when submitting request for this Visa D, you need to submit it for the purpose of employment in Serbia. Only in that case this Visa will be accepted from the NEA for issuing you a work permit.

If documentation submitted with the request is sufficient, our Diplomatic consular mission will issue you a Visa D within 15 days since submitting the request. In some cases, this period can be prolonged for up

Section V —

OTHER GROUNDS for obtaining TEMPORARY RESIDENCE PERMIT in Serbia

Although in this Publication our focus was on foreigners intending to obtain temporary residence permit in Serbia for employment and business reasons, as in many other countries, in the Republic of Serbia you can obtain Temporary residence permit on other grounds as well.

Such grounds, among others, are for education or learning Serbian language, participation in international exchange programs for pupils or students, scientific research or other scientific or educational activity, family reunification, treatment or care, ownership over immovable property and other reasons defined by Serbian regulations or an international treaty.

In all those cases, i.e., procedures you would be expected to submit requested evidence proving the existence of grounds for allowing temporary residence.



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Contact>



Igor Mitić, attorney



Aleksandar Anđelković, attorney



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