

Based on Article 43, paragraph 3, of the Law on Foreigners ("Official Gazette of RS", No. 24/18, 31/19, and 62/23), Article 17, paragraph 4, and Article 24, paragraph 2, of the Law on Government ("Official Gazette of RS", No. 55/05, 71/05 - correction, 101/07, 65/08, 16/11, 68/12 - CC, 72/12, 7/14 - CC, 44/14, and 30/18), the Minister of Internal Affairs issues

Regulation on Granting Temporary Residence

The regulation was published in the "Official Gazette of RS", No. 6/2024 dated January 26, 2024, and came into effect on February 1, 2024.

Article 1.

This regulation prescribes the detailed conditions for granting temporary residence, the appearance of the application for temporary residence, and the appearance of the temporary residence permit form.

Article 2.

The application for granting or extending temporary residence (hereinafter: application), in accordance with the law, is submitted to the competent authority on a prescribed form, or electronically by filling out the online application form on the Foreigners Portal.

Article 3.

Documents that are submitted, which are not issued by the competent authorities of the Republic of Serbia or are not in the Serbian language, must be accompanied by a translation by an authorized court interpreter.

If the application is submitted electronically via the Foreigners Portal, the evidence is attached in the form of an electronic document in the original or as a digitized document.

When submitting the application, the foreigner must also attach a color photograph, size 35 x 45 mm.

Article 4.

The address of residence indicated on the application refers to the address in the territory of the Republic of Serbia where the foreigner has registered residence and lives.

For applications submitted electronically from abroad, proof of residence address is provided by attaching a real estate lease agreement, or a statement of intended residential address, in accordance with the law.

The residential address stated when applying for the extension of temporary residence refers to the address in the territory of the Republic of Serbia where the foreigner lives and which is the last recorded in the previously issued temporary residence permit.

Article 5.

Proof that the foreigner has secured means of support during the planned stay in the Republic of Serbia is considered to be:

1. Confirmation of salary amount (salary calculation, etc.);
2. Employment contract or other contract in accordance with labor laws;

3. Proof of pension payments;
4. Proof of scholarship;
5. Proof of registration in the Agricultural Holdings Register;
6. Confirmation or bank statement showing possession of funds in the amount of the minimum wage prescribed in the Republic of Serbia for the year in which the application is submitted;
7. Written guarantee from a legal entity registered in the Republic of Serbia or a certified guarantee from an individual to bear the costs of supporting the foreigner during the stay, with proof that the guarantor possesses funds, to be considered as documentation prescribed in items 1)–6) of this article.

Article 6.

Proof of health insurance for foreign nationals from countries with which the Republic of Serbia has an international social security agreement is considered to be the European Health Insurance Card, or another document proving that they are insured in their country, in accordance with the laws of the Republic of Serbia on health insurance.

Proof of health insurance for foreign nationals from countries with which the Republic of Serbia does not have an international social security agreement is considered to be: a foreigner's health insurance policy; proof of scholarship; proof of possession of funds to cover emergency medical assistance costs, or treatment of chronic diseases; written guarantee from a legal entity registered in the Republic of Serbia or a certified guarantee from an individual to cover the aforementioned costs, with proof that the guarantor possesses funds, as well as a valid health insurance card of the Republic of Serbia.

Article 7.

The application is submitted by the foreigner on one of the grounds for granting temporary residence, in accordance with the provisions of Article 40 and Article 46, paragraph 2, of the [Law on Foreigners](#) ("Official Gazette of RS", No. 24/18, 31/19, and 62/23 - hereinafter: the **Law**).

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Article 8.

If the foreigner submits an application on the basis of a special form of employment, namely:

1. Performing the duties of an accredited foreign journalist;
 2. Volunteering;
 3. Expert participation in projects in cooperation with state authorities of the RS;
 4. Implementation of audiovisual work (a foreigner engaged in the implementation of audio or visual work, or as a member of the author's and acting team that produces audio or visual work in the Republic of Serbia) and
 5. Performing seasonal work,
- evidence from Article 43, paragraph 1, items 1), 1a), 3), 5), and 6) of the Law is provided.

As proof of the justification of the request, in accordance with the law, the following is submitted:

1. For the basis from paragraph 1, item 1) of this article – accreditation from the ministry responsible for information affairs;
2. For the basis from paragraph 1, item 2) of this article:
 - (1) Volunteering contract;
 - (2) Act of the state authority on the registration of the volunteering organizer in the prescribed record of volunteering organizers, or a certificate of data from the record of volunteering organizers, not older than six months and

(3) Volunteering program, and if the organizer of volunteering is a company or a public enterprise, also the consent of the competent authority to that program,

For the basis from paragraph 1, item 3) of this article – a letter from the competent state authority, local self-government unit or other organization or association about the need to engage a foreign national, their role, and the duration of the engagement,

For the basis from paragraph 1, item 4) of this article:

- (1) Business cooperation contract concluded between a domestic and foreign business entity;
- (2) Confirmation issued by the Serbian business entity and
- (3) Confirmation of the engagement of the foreigner, issued by the foreign business entity, with the duration of the engagement,

For the basis from paragraph 1, item 5) of this article – an offer for performing seasonal work, exclusively in activities prescribed by the law regulating simplified employment engagement in seasonal work in certain activities (hereinafter: **offer**).

The offer particularly contains:

- (1) Employer information: name, address, identification number, activity code;
- (2) Seasonal job information: job description, workplace, expected duration of work engagement and
- (3) Information about work and accommodation conditions: amount of work compensation excluding taxes and contributions, duration of daily and weekly working hours, accommodation and food conditions, in accordance with the law and the employer's general act.

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Temporary residence for performing seasonal work can be granted for the period and in the manner prescribed by the provisions of the law regulating simplified employment engagement in seasonal work in certain activities.

Along with the evidence from paragraph 2, items 2), 4), and 5) of this article, for proving the justification of the request, a registration extract of the employer in the Republic of Serbia is also considered.

Article 9.

If the foreigner submits an application based on schooling, they provide evidence from Article 43 and Article 47, paragraphs 2 and 3, of the Law, and as proof of the justification of the request, they submit a certificate of enrollment in primary or secondary school verified by the ministry responsible for education.

If the foreigner submits an application based on learning the Serbian language, as proof of the justification of the request, they submit a certificate of attending a Serbian language course with the start date and duration of the course.

In the cases from paragraphs 1 and 2 of this article, as proof of the justification of the request, a certificate that the educational institution is verified in the Republic of Serbia, or an extract of the registration of a legal entity or entrepreneur in the Republic of Serbia where they attend Serbian language classes, is also considered.

The foreigner from paragraph 2 of this article also submits evidence of the intention to study in the Republic of Serbia (evidence of the initiated procedure for recognizing a foreign school certificate, proof of payment of the prescribed tuition installment, letter from the educational institution, etc.).

Article 10.

If the foreigner submits an application based on studying, they provide evidence from Article 43 of the Law, and as proof of the justification of the request, they submit a certificate of enrollment at a higher education institution accredited by the Ministry of Education, with the duration of the study program specified.

When submitting an application for extending temporary residence based on studying, as proof of the justification of the request for extending temporary residence, a certificate of attendance at the study program, with the year of enrollment and the duration of studies, is submitted.

Article 11.

If the foreigner submits an application based on participation in an international student exchange program, they provide evidence from Article 43 and Article 49, paragraph 2, of the Law, and as proof of the justification of the request, they submit a certificate of participation in an international student exchange program, issued by a verified primary or secondary school, with the duration of the program specified.

Article 12.

If the foreigner submits an application based on participation in international student exchange programs, they provide evidence from Article 43 of the Law, and as proof of the justification of the request, they submit a certificate of participation in an international student exchange program, issued by the competent institution, with the duration of the program specified.

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Article 13.

If the foreigner submits an application based on scientific research work, they provide evidence from Article 43 of the Law, and as proof of the justification of the request, in accordance with the law, the following are submitted:

1. An extract of the registration of the accredited scientific research organization in the Republic of Serbia where the foreigner conducts scientific research work;
2. A contract concluded with the scientific research organization for conducting scientific research work and conducting research activities and
3. A certificate from the institution or legal entity where the foreigner conducts scientific research work, with the start date and duration of the research work.

Article 14.

If a foreigner submits an application based on other scientific-educational activities, namely:

1. Implementation of scientific activities;
2. Informal education, i.e., attending training or courses to acquire a new occupation or profession (e.g., pilot training, IT training academy, etc.), and
3. Sports training for younger categories of athletes, they must provide evidence from Article 43 of the Law.

As proof of the justification of the request, in accordance with the law, the following is submitted:

1. For the basis from paragraph 1, item 1) of this article – a concluded contract for conducting scientific activities, or a certificate, indicating the start date and duration of the said scientific activities;
2. For the basis from paragraph 1, item 2) of this article – a concluded contract for conducting training for education and acquiring a new occupation and profession, indicating the start date and duration of the said educational activities, and
3. For the basis from paragraph 1, item 3) of this article – a concluded contract for sports training and attending a sports school, indicating the start date and duration of the said activities.

As proof of the justification of the request, an extract of the registration of a legal entity or institution in the Republic of Serbia where the foreigner performs scientific activity, or of a business entity organizing programs of informal education, or of a service provider implementing a program of sports training for younger sports categories, in accordance with the law governing the field of sports, is also considered.

For granting temporary residence to a minor foreigner based on item 2) and 3) of paragraph 1 of this article, the consent of the parents, guardian, or legal representative, as well as a guarantee that an adult living in the Republic of Serbia will be responsible for the foreigner during their stay in the Republic of Serbia, particularly in terms of providing accommodation, health care, and means of support for the minor foreigner, are required.

If the adult providing the guarantee for the minor is a foreign national, temporary residence for the minor is granted for the period for which temporary residence is approved for the guarantor.

A minor foreigner who is required to attend a verified school in accordance with the law governing education in the Republic of Serbia is granted temporary residence based on schooling.

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Article 15.

When a request for family reunification is submitted by a foreigner who is married to:

1. A citizen of the Republic of Serbia, they must provide evidence prescribed in Article 43, paragraph 1, items 1), 1a), 3), 5), and 6) of the Law, and as proof of the justification of the request, an extract from the marriage register, issued by the competent authorities of the Republic of Serbia, is obtained or submitted, in accordance with the law;
2. A foreigner who has been issued a unified permit or approved temporary residence under Article 8 of this regulation, they must provide evidence prescribed in Article 43, paragraph 1, items 1), 1a), 3), 5), and 6) of the Law, and as proof of the justification of the request, a document proving the existence of a marital community with the foreigner, in accordance with the national legislation of the country where the marital community was established, is submitted;
3. A foreigner who has been approved permanent settlement in the Republic of Serbia or temporary residence, except for a foreigner with approved temporary residence under Article 8 of this regulation, they must provide evidence prescribed in Article 43 of the Law, and as proof of the justification of the request, a document proving the existence of a marital community with the foreigner, in accordance with the national legislation of the country where the marital community was established, is submitted.

When a request for family reunification is submitted by a foreigner who is in a common-law relationship with a citizen of the Republic of Serbia or a foreigner with approved temporary residence, they must provide evidence from paragraph 1 of this article, except for the proof of justification of the request. As proof of the justification of the request for this basis, evidence of both partners' free marital status and other evidence of the existence of a common-law relationship are submitted.

Other evidence from paragraph 2 of this article, which the foreigner can use to prove the existence of a common-law relationship, includes declarations of common-law partners and certified statements of two witnesses about a more permanent community of life, evidence of a shared residential address, or an extract from the register of common-law communities, if such is maintained in the country where the common-law relationship existed, etc.

If a child is born in a common-law relationship, as proof of the existence of the common-law relationship, an extract from the birth register for the child is obtained or submitted, in accordance with the law.

In the case of submitting a request for approval or extension of temporary residence based on family reunification for a foreigner who, in accordance with the Law, can exceptionally be considered a member of the immediate family, evidence from Article 43 of the Law is provided, and as proof of the justification of the request, an extract from the birth register and evidence that the applicant depends on the person with whom they are seeking temporary residence and that they do not have adequate family care and nurturing in their country of origin, or that due to their health condition, they cannot meet their own needs, are submitted.

Article 16.

If a request for family reunification with a foreigner who has been granted asylum in the Republic of Serbia is submitted by a member of their immediate family, evidence prescribed in Article 43 of the Law is provided, and as proof of the justification of the request, a copy of the decision on granted asylum in the Republic of Serbia and a copy of the ID card for the family member based on which the request for temporary residence is submitted, as well as other evidence of kinship available, are obtained or submitted, in accordance with the law.

If the applicant from paragraph 1 of this article does not possess a travel document or another document from the country of origin and was not able to obtain them for justified reasons (e.g., war in the foreigner's country of origin or other reasons beyond their control), they are not required to possess documents from Article 43 of the Law.

Article 17.

If a request for family reunification for a minor, one of whose parents is a citizen of the Republic of Serbia or a foreigner who has been issued a unified permit or approved temporary residence under Article 8 of this regulation, is submitted, evidence prescribed in Article 43, paragraph 1, items 1), 1a), 3), 5), and 6) of the Law is provided, and as proof of the justification of the request, an extract from the birth register for the child is obtained or submitted, in accordance with the law.

If a request for family reunification for a minor, one of whose parents has been approved permanent settlement or approved temporary residence, except for a foreigner with approved temporary residence under Article 8 of this regulation, is submitted, evidence prescribed in Article 43 of the Law is provided, and as proof of the justification of the request, an extract from the birth register for the child is obtained or submitted, in accordance with the law.

When submitting requests from paragraphs 1 and 2 of this article, the presence of both parents is required, and if it is not possible to ensure the presence of both parents, in addition to the mentioned evidence, a certified consent of the other parent is also submitted.

Exceptionally, if the other parent is unknown, or has died, or is completely deprived of parental rights, or business capacity, the consent of the other parent is not obtained.

Article 18.

If a foreigner who has been approved temporary residence based on family reunification for the past four years submits a request for independent temporary residence, they must provide evidence from Article 43 of the Law and evidence from Articles 15–17 of this regulation, in accordance with the basis on which the previous temporary residence was approved.

If a foreigner who has been approved temporary residence based on family reunification for the past three years submits a request for independent temporary residence, and the immediate family member with whom the right to temporary residence was exercised has died, they must provide evidence from Article 43 of the Law, and as proof of the justification of the request, an extract from the death register for the deceased family member is submitted.

If a foreigner submits a request for approval of independent temporary residence as a victim of domestic violence or other severe circumstances, who has been approved temporary residence for a period shorter than four years, they must provide evidence from Article 43 of the Law, and as proof of the justification of the request, evidence that criminal proceedings have been initiated against the immediate family member for committing the crime of "domestic violence," or that the immediate family member has been legally convicted for this criminal offense, is obtained or submitted, in accordance with the law.

As evidence when deciding on a request from paragraph 3 of this article, a document from the competent Center for Social Work confirming that during the validity of the temporary residence based on family reunification, within their competence, measures were taken to protect the foreigner from domestic violence, or a document from a safe house confirming that during the validity of the temporary residence based on family reunification, the applicant was accommodated in their premises to provide protection from the immediate family member who has been repeatedly reported to the police, prosecution, or other state authorities due to reasonable suspicion of committing the crime of domestic violence.

Article 19.

If a foreigner submits an application based on performing religious services, they must provide evidence from Article 43 of the Law, and as proof of the justification of the request, in accordance with the law, a work contract or a letter from a registered church or religious community in the Republic of Serbia, indicating that the foreigner is engaged as a priest or religious official.

Along with the evidence from paragraph 1 of this article for proving the justification of the request, an extract of the registration of the church or religious community in the Republic of Serbia is also considered.

Article 20.

If a foreigner submits an application based on medical treatment, they must provide evidence from Article 43 of the Law, and as proof of the justification of the request, a decision on the registration of a medical institution in the Republic of Serbia and a letter from the medical institution indicating the

place of treatment and the need for continuous treatment, specifying the duration of the treatment, are obtained or submitted, in accordance with the law.

In the case of submitting an application for approval or extension of temporary residence based on care, evidence from Article 43 of the Law is provided, and as proof of the justification of the request, a letter from a social welfare institution and a decision on the registration of a social welfare institution in the Republic of Serbia and a work license issued by the competent authority for social welfare affairs, are obtained or submitted, in accordance with the law.

Article 21.

If a foreigner submits an application based on property ownership, they must provide evidence from Article 43 of the Law, and as proof of the justification of the request, an extract from the real estate list is submitted, in accordance with the law.

Exceptionally from paragraph 1 of this article, i.e., if registration in the real estate cadaster has not been performed, other documents proving property ownership (certified sales contract, gift contract, inheritance decision, property tax decision, court judgment, document on lifetime right of residence, etc.) may be considered as proof of the justification of the request based on property rights.

Article 22.

If a foreigner submits an application for humanitarian reasons due to family, cultural, or social ties they have with the Republic of Serbia, and due to specific circumstances related to their previous stay in the Republic of Serbia, they were unable to submit an application in a lawful manner, they must provide evidence from Article 43 of the Law, and as proof of the justification of the request for approval of humanitarian residence, the foreigner submits one or more pieces of evidence on which it can be determined that in the previous period in the Republic of Serbia they completed school, were employed, have close relatives in the Republic of Serbia up to the second degree of kinship with whom they maintain close contacts, have established a marital community, understand and speak the Serbian language, and that due to these circumstances, there are reasonable prospects that after regularizing their residence in the Republic of Serbia, they will fully integrate into social life.

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Specific circumstances from paragraph 1 of this article may relate to the absence of a travel document, which the foreigner was unable to obtain for justified reasons (e.g., war in the foreigner's country of origin or other reasons beyond their control), severe material situation in which the foreigner was found, which did not depend on them, or that the foreigner due to particularly severe health reasons, age, or justified family or personal situations did not regulate their stay in the Republic of Serbia.

The justification of the request for approval of humanitarian residence for a foreigner who cooperates with the police or judicial authorities, and their presence is necessary in the proceedings before these authorities, is proven by a confirmation of the authority about their participation in the proceedings, which is obtained ex officio.

The request for humanitarian residence for a minor foreigner who is abandoned, a victim of organized crime, or for other reasons left without parental care or unaccompanied, is submitted by a social worker in the presence of the minor.

Article 23.

When deciding on a request for the extension of temporary residence submitted in accordance with Article 41, paragraph 8, of the Law, the competent authority, in addition to applying general principles guiding the decision on the request for the extension of temporary residence, also considers evidence

of the existence of justified reasons for the untimely submission of the request for the extension of temporary residence, which are submitted with the request for the extension of temporary residence.

The existence of justified reasons from paragraph 1 of this article is proven by the foreigner by submitting documentation on illness, natural and other elemental disasters, unforeseen events in the foreigner and their immediate family members (severe illness, death, etc.), or another document proving the validity of the reasons why the foreigner did not timely submit a request for the extension of temporary residence in the Republic of Serbia.

Article 24.

If the conditions for granting temporary residence are met, the foreigner is obliged to personally appear at the address of the competent authority, in order to take their biometric data and issue a confirmation of the commenced process of issuing a permit for temporary residence in the form of a card.

Before taking biometric data, the police officer checks the identity of the foreigner based on the foreign travel document that the foreigner possesses, or based on the ID card of the state of which they are a citizen, which, in accordance with applicable regulations, can enter the Republic of Serbia with an ID card and determines whether the prescribed fee for issuing the document has been paid in accordance with the regulations governing the amount of fees and charges for issuing a permit for temporary residence.

Article 25.

After the biometric data is taken, the foreigner reviews the data and gives consent that their personal information is accurately and correctly recorded, after which the foreigner is issued a confirmation of the initiated process of issuing a temporary residence permit card, which is personally handed to the foreigner.

The confirmation from paragraph 1 of this article also includes the foreigner's registration number.

Article 26.

In the case when a valid temporary residence permit is declared invalid, or when it is damaged, when the photo no longer corresponds to the foreigner's appearance, or when for other reasons the previously issued card cannot serve its purpose, the provisions of this regulation for issuing a temporary residence permit in the form of a card are correspondingly applied.

If a new temporary residence permit is issued to a foreigner for reasons from paragraph 1 of this article, the new temporary residence permit is issued by the competent authority in the territory where the foreigner has a registered address of residence, with the issuance date from the day of applying for the new temporary residence permit and a validity period until the date when the foreigner has approved temporary residence.

In the case of paragraph 1 of this article, new biometric data will only be taken in case of changes affecting the identification of the foreigner, and the previous card is physically invalidated by perforation after issuing the new temporary residence permit.

Article 27.

The temporary residence permit form is double-sided (front and back), rectangular, in the form of a card, format ID-1, with an embedded chip, made of multi-layered polycarbonate material, with dominant blue tones on the front of the form.

The form is made in accordance with the standards ISO/IEC 7810 for physical characteristics, ISO/IEC 10373 for testing physical characteristics, ISO/IEC 7816-1, ISO/IEC 7816-2, ISO/IEC 7816-3, and ISO/IEC 7816-4, 7816-6 for inter-process data elements, 7816-8 for inter-process security commands, and 7816-9 for card management commands related to electrical circuits and contacts.

The protective elements on the temporary residence permit form are microprinting, OVI (Optically Variable Ink) for graphic representation in the form of a shield with four ocilla turned towards the vertical beam of the cross, guilloche lines, iris printing, UV ink printing, UV threads, control number, DOVID (Diffractive Optically Variable Element), in accordance with the defined technical specification and Artwork approved by the client and MLI zone.

Article 28.

The information on the temporary residence permit form is written in Serbian, Cyrillic script, and in English.

The temporary residence permit form on the front side in the title contains the name "TEMPORARY RESIDENCE PERMIT" and the following data: surname and name of the foreigner, date of birth (day, month, and year of birth), gender, nationality, registration number of the temporary residence permit, the document's validity date, the basis of residence, foreigner's photograph, the owner's signature image, and a note.

The temporary residence permit contains a note on whether the foreigner who has been granted temporary residence has the right to work in the Republic of Serbia, in accordance with the provisions of the law regulating the employment of foreigners.

The temporary residence permit form on the back contains the document's serial number, the foreigner's registration number, country of birth, issuing authority, issue date, and a machine-readable zone.

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In the chip of the temporary residence permit card, in addition to visible data, the following are entered: the foreigner's biometric fingerprint, space for a machine-readable zone for the purpose of automatic data reading, the full name of the basis for issuing the temporary residence permit, the full name of nationality, information on whether the foreigner has the right to work in accordance with the law, data on the address of residence, and other data, in accordance with the law.

If the foreigner changes the address of residence, in accordance with the law, the foreigner addresses the competent authority in whose territory the new address of residence is located, and the data on the change of address of residence and the date of the change of address of residence are recorded in the chip of the temporary residence permit card.

If there is a change of address of residence or a change of street name/renumbering, it is necessary for the foreigner to contact the competent authority in order to record the mentioned data change in the chip, without issuing a new temporary residence permit card.

Article 29.

The application form for approval or extension of temporary residence (Form 1), with a translation into English, is printed on A4 paper, is included in the annex of this regulation, and is an integral part of it.

The temporary residence permit form (Form 2) is printed in the annex of this regulation and is an integral part of it. An integral part of Form 2 is the Instruction on how to take biometric data.

Article 30.

A foreigner who has been granted temporary residence and a sticker affixed in the travel document, or a decision on approved temporary residence issued, in accordance with the regulations that were in force until the entry into force of this regulation, continues to reside in the Republic of Serbia until the expiration of the period for which temporary residence was approved, in accordance with the regulations under which temporary residence was approved.

Article 31.

Procedures that have begun in accordance with the regulations that were valid until the entry into force of this regulation will be completed in accordance with these regulations.

Article 32.

From the day of the start of the application of this regulation, the Regulation on detailed conditions for granting temporary residence, the appearance of the application for granting temporary residence, the appearance and method of entering a temporary residence sticker in a foreign travel document ("Official Gazette of RS", number 72/18) ceases to be valid.

Article 33.

This regulation comes into force on February 1, 2024.

O1 number 021-57/24-8
In Belgrade, January 26, 2024
Minister,
Bratislav Gasic, s.r.

STATT'S NOTE: You can download the forms in PDF format by clicking on the following link:

[Form 1](#) (Application for approval/extension of temporary residence)

[Form 2](#) (Temporary residence permit and Instruction on how to take biometric data)

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