

## ***Amendments to the Law on Foreigners / Amendments to the Law on Employment of Foreigners***

---

The National Assembly of the Republic of Serbia adopted the Law on Amendments to the Law on Foreigners ("**Amendments to the Law on Foreigners**") and the Law on Amendments to the Law on Employment of Foreigners ("**Amendments to the Law on Employment of Foreigners**") on July 26, 2023.

Some of the amendments came into force as of August 4, 2023, while the most significant provisions, which simplify the process, will be implemented as of February 1, 2024, upon fulfillment of technical requirements and the adoption of sub-legislative acts by the competent authorities.

The aim of these amendments is to introduce an efficient, high-quality, and improved system that enables employers to hire foreign workers.

### **1. Single permit for temporary residence and work of foreigners**

The Amendments to the Law on Foreigners and Amendments to the Law on Employment of Foreigners collectively introduce the institute of a single permit in the form of a biometric document, which will be issued by the Ministry of Internal Affairs, and possession of which will enable foreigners to reside and work in the Republic of Serbia for a period of up to three years.

The mentioned provision will be applicable as of February 2024.

By submitting the application for the issuance of a single permit electronically, which is to be processed within 15 days from the date of submitting a complete application, the period

during which a foreign national can lawfully commence economic activities after entering the country has been reduced. This will result in reduced costs for both the employer and the foreign national, related to accommodation and stay in the Republic of Serbia from the moment of entry until obtaining the necessary permits for their residence and work.

It is also prescribed that a foreign national, during the validity of the single permit, can change the basis of employment, change the employer, or work for two or more employers, if fulfilling legal conditions.

### **2. Work based on Visa D**

With Amendments to the Law on Foreigners and the Law on Employment of Foreigners, a foreign national holding a D visa can work in the Republic of Serbia without the need for a single work permit, as the D visa is now defined as both a work permit and a temporary residence permit. Therefore, the long-stay visa (D visa) is an authorization for a foreign national to enter, work, and reside in the territory of the Republic of Serbia, issued for a duration of 90 to 180 days. Visas will continue to be issued by diplomatic and consular missions.

### **3. Extension of temporary residence**

With the Amendments to the Law on Foreigners, it is now possible to grant temporary residence for a period of up to three years (instead of the one-year duration), depending on the existence of reasons and evidence provided in each individual case. The application for the extension of temporary residence can be submitted within a period of 90 days before its expiration, and at the latest, by the expiration date of the approved residence. This extends the current timeframe, where the foreign national is required to apply for an extension of temporary residence no later than 30 days before the expiration of the approved residence.

Starting from February 2024, according to the Amendments to the Law on Employment of Foreigners, foreigners who do not have a single permit but have the temporary residence (based on family reunification with a foreigner holding a single permit, property ownership, etc.) will be able to work without a single or traditional work permit, but only for the duration of their approved temporary residence.

#### **4. Shortened deadline for issuing reports on the conducted labor market test**

The report on the conducted labor market test will be issued within four days, instead of the current 10 days.

#### **5. Permanent residence**

Permanent residence, according to the Amendments to the Law on Foreigners, can be granted after three years of continuous residence in the territory of the Republic of Serbia, instead of the five years.

Foreign nationals granted permanent residence will no longer be required to obtain a personal work permit to enable legal employment in the Republic of Serbia.

#### **6. Referral of foreigners**

The Amendments to the Law on Employment of Foreigners have introduced more detailed rules regarding referral of foreigners, including the introduction of temporary work and the assignment of a foreign national to temporarily perform tasks for the user employer. These amendments have been in effect as of August 4, 2023.

#### **7. Higher monetary penalties**

According to the Amendments to the Law on Employment of Foreigners, the maximum fines for non-compliance with legal provisions have been doubled.

**For any additional consultation or legal assistance, you can contact the Tasić & Partners team by email at [office@tasiclaw.com](mailto:office@tasiclaw.com) or by phone at +381116302233.**