

VISA AND WORK PERMIT FOR FOREIGNERS TO ENTER THE REPUBLIC OF MACEDONIA



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1. GENERAL INFORMATION

A foreigner who intends to enter, stay, or pass through the territory of the Republic of Macedonia is required to obtain an appropriate visa to enter the country.

The stay of foreigners in the Republic of Macedonia is regulated by the Law on Foreigners and the Law on Employment and Work of Foreigners and their respective by-laws.

The Law on Foreigners and the Law on Employment and Work of Foreigners, including their respective by-laws, can be found at the following websites:

www.moi.gov.mk

www.zvrm.gov.mk

www.pravo.org.mk

The website of the Ministry of Foreign Affairs of the Republic of Macedonia (www.mfa.gov.mk) also offers detailed information about the Visa Regime of the Republic of Macedonia and explanations of the different types of visa.

The Law on Foreigners governs the conditions for entry, leave, and stay of foreigners in the Republic of Macedonia and their rights and obligations.

The Law on Employment and Work of Foreigners governs the conditions and procedures of employment or work of foreigners in the Republic of Macedonia, unless an international agreement provides otherwise.

A foreigner who is a holder of a valid travel document issued by the national authorities of the country of origin of the national, and the country has an established visa regime with the Republic of Macedonia, the foreigner can enter the territory of the Republic of Macedonia only if he or she possesses a valid visa.

A foreigner can obtain a visa for the Republic of Macedonia at the diplomatic or consular mission of the Republic of Macedonia abroad where the procedure of application and issuance of visa was begun and completed

In accordance with the strategic orientation to become a Member State of the European Union, the Republic of Macedonia develops national legislation harmonized with the European legislation. The national legislation also incorporates the legal solutions concerning entry and stay of foreigners in the Republic of Macedonia.

2. TYPES OF VISAS AND RESIDENCE IN THE REPUBLIC OF MACEDONIA

In accordance with the positive regulations there are four types of visas for entry into the Republic of Macedonia:

	Type of visas	Purpose
1.	Visa A	Airport transit
2.	Visa B	Transit
3.	Visa C	Short-stay
4.	Visa D	Long-stay

Visas B, C, and D are issued upon a visa application made by a foreigner to be submitted exclusively at the diplomatic or consular mission of the Republic of Macedonia. A foreigner is to submit his/her visa application in person, however, in case there are objective (grounded) reasons, the application for transit, short-stay, and long-stay visas (visa B, C and D) may be submitted in an alternate way that is in accordance with the legal provisions.

An approved visa or Decision to grant temporary residence based on different grounds (provided the Republic of Macedonia has no visa regime established with the country of the applicant, he or she is not required to possess a visa but only a decision) can only be received by the applicant in person.

A foreigner submits the visa application at the diplomatic or consular mission of the Republic of Macedonia in their country of origin, or the country where the person concerned possesses a residence permit and there is a diplomatic or consular mission of the Republic of Macedonia.

In case there is no diplomatic or consular mission of the Republic of Macedonia in the country where the applicant resides, the visa application is submitted at the diplomatic or consular mission of the country with which the Republic of Macedonia has concluded a joint representation agreement.

Within the specified possibilities above, a foreigner can apply at the diplomatic or consular mission abroad for visa B or C to enter the Republic of Macedonia, provided he or she is a resident of the country where the diplomatic or consular mission is.

A foreigner may apply for a long-term visa (visa D) exclusively at the diplomatic or consular mission of the Republic of Macedonia in their country of origin or the diplomatic or consular mission of the Republic of Macedonia in the country where he or she is a resident.

A visa application is submitted by the foreigner who intends to enter into or pass through the country, in person. Upon exception, a visa application may be submitted by another natural or authorized person in case:

- *the foreigner travels as a member of a large organized group tour and the application can be submitted by a trustworthy subject (travel agency, tour operators, or other legal entities)*

- *the foreigner is a disabled person or person who intends to stay in the Republic of Macedonia for medical reasons and the application can also be submitted by a person authorized by a certified proxy together with the medical documentation attached*
- *The foreigner is a well-known person and there is no doubt about his/her bona fide intentions, however, is unable to submit his/her application in person, thus, the application can be submitted by a person authorized by a certified proxy.*

VISA A

Visa A is issued to foreigners who are nationals of certain countries or passengers traveling from certain routes that the Government of the Republic of Macedonia deems necessary to require an airport transit visa due to interests of national defense, security, or international relations.

VISA B

Visa B is issued as a single or double-entry, and in exceptional cases, as a multiple-entry visa to pass through the territory of the Republic of Macedonia when traveling from one country to another. When passing through the territory of the Republic of Macedonia the foreigner may not stay longer than five days. This is the maximum allowable stay with a Visa B.

A transit visa can be issued only if the foreigner proves his or her admission to the country he or she enters into directly from the Republic of Macedonia as well as fulfils the general visa requirements. The validity of the transit visa may not be longer than one year.

Comments:

The validity of this type of visa is not to be misread as to have residence in the Republic of Macedonia. Namely, if its validity is six months, it certainly does not mean that the foreigner may stay in the country more than five days, that is, he or she may not stay longer than the number of days indicated in the visa and in case of a transit visa, it is five days or less, but no longer than five days.

VISA C

Visa C is issued for a short-stay in the Republic of Macedonia. An uninterrupted stay as well as the total duration of subsequent stays of a foreigner in the Republic of Macedonia may not exceed a period of three months (90 days) in any half-year period from the date of first entry.

Comments:

A short-stay visa (Visa C) is issued exclusively for tourism, business, personal or other purposes but in no case for the grounds stipulated in the Law on Foreigners and the Law on Employment and Work of Foreigners, except in exceptional cases, for which a long-term visa (Visa D) is required. In exceptional cases where work is for a period less than 30 days and a work permit is not required, the employer only reports such work at the Employment Agency of the Republic of Macedonia.

In case a foreigner enters the Republic of Macedonia with a Visa C or no visa in accordance with the visa regime of the Republic of Macedonia, and during his or her stay decides to establish a company or becomes employed (or any other reason specified by the Law on Foreigners, the Law on Employment and Work of Foreigners, or the Law on Volunteering) the foreigner may not extend his or her stay in the country but is required to start a new procedure at the diplomatic or consular mission of the Republic of Macedonia to regulate his or her residence based on his or her professional engagements (that is, for a long-term visa - Visa D or for Visa C based on a document issued by the Employment Agency granting a work-related stay of 30 (thirty) days) in accordance with the Law on Foreigners, the Law on Employment and Work of Foreigners, and the Law on Volunteering.

Requirements for a short-term visa (Visa C):

- A completed visa application (the relevant format can be found at the website of the Ministry of Foreign Affairs - www.mfa.gov.mk), which must be clear and legible and signed by the applicant.
- A color photo of the applicant with a white background and dimensions of 3.5 x 4.5 cm, presenting his or her genuine facial image, which is not older than three months.
- Possession of a valid and recognized travel document. The travel document is to be valid for a period of at least three months longer than the intended stay in the Republic of Macedonia.
- Documents proving the purpose and circumstances of the intended stay in the Republic of Macedonia – invitation or guarantee letter by a physical or legal person in the Republic of Macedonia, an agreement for joint co-operation, or a document concerning family relations and like matters. The guarantee letter may be made by a citizen of the Republic of Macedonia as well as a foreigner holding a residence permit of the Republic of Macedonia. An invitation letter may be made by a domestic or foreign legal person registered in the Republic of Macedonia inviting someone for a business visit.
- The guarantee letter and the invitation by a legal person can be accepted as documents confirming possession of subsistence means if the statement of the guarantee provider or the legal person is contained in such a document that they undertake to ensure accommodation and cover the costs of the stay of the foreigner in the Republic of Macedonia including his or her leave of the territory of the country.
- The guarantee letter and the invitation must be certified by a notary public and contain information about the purpose of the visit of the foreigner (reasons for which the visa is applied for).
- Travel insurance (individual or collective) to cover possible costs which might arise from repatriation due to medical reasons, urgent medical intervention, or medical treatment of the foreigner during his or her stay. The travel insurance is not required in the following cases:
 - a) besides the valid travel document, the foreigner also possesses a residence permit in the Republic of Macedonia
 - b) the foreigner possesses a diplomatic, service, or consular identity card

- c) the foreigner is a national of a country with which the Republic of Macedonia has ratified an international agreement which exempts the travel insurance as a requirement for entry into the Republic of Macedonia
 - d) the foreigner enters the Republic of Macedonia holding a visa issued by the diplomatic or consular mission with the text reading "Insurance not required"
 - e) the foreigner comes from a country for whose nationals the Government of the Republic of Macedonia has annulled the requirement to possess travel insurance to enter the country.
- evidence of finances, provided that the guarantee or invitation letter explicitly states that the provider covers the costs for the person concerned
 - upon request of the diplomatic or consular mission of the Republic of Macedonia, the applicant is obliged to supply documents other than the above mentioned ones

A foreigner who is at the age of up to 18 and enters into the Republic of Macedonia unaccompanied by his or her parents or guardian, may enter its territory, provided that apart from the general entry or visa conditions, he or she also possesses parental or guardian permission to enter and stay in the Republic of Macedonia

Such permission must be certified by a competent authority of the country from which the minor person originates or by the diplomatic or consular mission of the Republic of Macedonia.

VISA D

Visa D is issued for a long-stay in the Republic of Macedonia to a foreigner who intends to be granted temporary residence in the Republic of Macedonia for the following reasons:

- employment or self-employment
- attending school or studies
- participation in international student/pupil exchange programs
- specialization, vocational education, or practical training
- scientific research
- medical treatment
- family reunification
- humanitarian grounds

Visa D is issued for one of the reasons above, for a single entry into the Republic of Macedonia entitling a stay of up to 30 (thirty) days, and valid for a period of up to six-months.

The foreigner who is issued a long-stay visa is required to report to the Ministry of Internal Affairs within five days from the date of entry into the Republic of Macedonia where the Ministry shall issue him or her a temporary residence permit within 25 (twenty-five) days from the date of reporting.

3. VISA-FREE ENTRY INTO THE REPUBLIC OF MACEDONIA

The list of countries whose nationals may enter the Republic of Macedonia without a visa can be found at the website of the Ministry of Foreign Affairs of the Republic of Macedonia. www.mfa.gov.mk.

The citizens of EU Member States and Schengen States may enter and stay up to three months within a period of six months with a valid identity card.

A foreigner, who is a holder of a valid travel document of a third country, possesses a valid Schengen multiple-entry Visa C that's valid at least five days longer than the intended stay in the Republic of Macedonia, may enter into the country without a Macedonian visa. The foreigner may stay in the country for a period of up to 15 (fifteen) days upon each entry where the total duration of subsequent stays in the Republic of Macedonia does not exceed a period of three months in any half-year period from the date of first entry.

Foreigners that do not require a visa may enter and stay in the Republic of Macedonia for a period of up to 90 (ninety) days within a period of six-months. Nationals of countries with which the Republic of Macedonia has concluded agreements allowing visa-free travel and stays no longer than 90 (ninety) days, may stay in the country for the period provided by such an agreement.

Foreigners may enter the Republic of Macedonia with a valid travel document or other form of identification by crossing the state border or at border checks at the border crossing point. Upon request by a border police officer, the foreigner is obliged to explain the reason for entry into the Republic of Macedonia.

Regarding official or business visits, a foreigner can submit an invitation by a company or other authority to participate in meetings or events related to trade, industry, or work. Documents which can establish the existence of trade relations or business co-operation, fair tickets, invitations by organizers of congresses, conferences and similar events are all acceptable to submit as proof of an official or business visit..

As for private visits and tourism a foreigner can submit an invitation by the host, a document proving accommodation by the institution, travel arrangements, and a return or transit travel ticket. As for additional reasons for visiting the Republic of Macedonia, foreigners can supply entry tickets, invitations for participation at political, scientific, cultural, sporting, or religious events.

With regard to medical treatment, surgery, therapy, and medical check-ups, a foreigner is obliged to present a receipt from a medical institution specifically indicating the medical or clinical treatment at a public or private health institution.

The subsistence means during a stay in the Republic of Macedonia is expected to amount to 50 Euro per day unless the foreigners' stay is ensured in an alternate way.

A foreigner who intends to stay for a period longer than 90 (ninety) days is required to apply for a temporary residence permit.

4. REPORTING PLACE OF SOJOURN

Legal or natural persons that provide services to foreigners for payment are obliged to report the stay of foreigners that have been provided accommodation by them to the Ministry of Internal Affairs within 12 (twelve) hours from the hour of providing such a service.

Other persons who provide accommodation to foreigners are obliged to report such a stay within 24 (twenty-four) hours from the hour of arrival of the foreigner concerned.

In cases where a foreigner does not use any of the above mentioned services (ex.: the foreigner goes camping, or stays at a mountain house where there are no registry offices), the foreigner is obliged to report his or her place of sojourn to the Ministry of Internal Affairs within 24 (twenty-four) hours. .

5. ENTRY FOR SPECIFIC PURPOSES

Upon previously being granted temporary residence, a foreigner may enter the Republic of Macedonia based on the following grounds:

- employment
- self-employment
- attending school
- attending studies
- participation in international student/pupil exchange programs
- specialization
- vocational education or practical training
- scientific research
- medical treatment
- family reunification
- a close family member of a citizen of the Republic of Macedonia
- origin of the Republic of Macedonia
- a foreigner's child born in the Republic of Macedonia
- humanitarian grounds

6. APPLICATION FOR TEMPORARY RESIDENCE PERMIT

The application for a temporary residence permit is submitted at the diplomatic or consular mission of the Republic of Macedonia abroad for the following reasons:

- employment
- self-employment
- attending school or studies
- participation in international student/pupil exchange programs
- specialization
- vocational education or practical training
- scientific research
- medical treatment

The application for a temporary residence permit is submitted at the diplomatic or consular mission of the Republic of Macedonia in the country of origin of the national that is applying or where he or she is a holder of a residence permit.

In case where there is no diplomatic or consular mission of the Republic of Macedonia in the country where the foreigner resides, such an application can be submitted to the diplomatic or consular mission of the country with which the Republic of Macedonia has concluded a joint representation agreement, or at the diplomatic or consular mission of the Republic of Macedonia in the nearest country.

The application may be submitted directly to the Ministry of Internal Affairs when a foreigner intends to stay in the Republic of Macedonia for the following reasons: family reunification, he or she is a close family member of a citizen of the Republic of Macedonia, he or she is from the Republic of Macedonia by origin, he or she is a foreigner's child born in the Republic of Macedonia, or on humanitarian grounds.

The foreigner must supply the following documents with the application:

- evidence (data) that he or she possesses subsistence means or that such means are ensured in an alternate legal way, such as: a bank receipt of the account status of the foreigner in the Republic of Macedonia or a foreign bank, a receipt issued by a competent authority or legal person stating the salary or scholarship amount, as well as other documents indicating existence of subsistence means
- evidence that accommodation or means for accommodation are ensured, such as: possession of real estate property on the territory of the Republic of Macedonia in accordance with the law, a residential lease contract certified by a notary public including financial means for appropriate accommodation in the Republic of Macedonia
- evidence concerning health insurance, such as: possession of health insurance which is required for the issuance of a temporary residence permit, a copy of a medical card including proof issued by a health institution that the foreigner is a patient there
- evidence that the foreigner fulfils the conditions for temporary residence based on different grounds in accordance with the law which corresponds to the reasons for applying to stay for a period longer than three months, such as:

- work permit
 - proof certifying that the foreigner is a high-school or university student at an educational institution in the Republic of Macedonia
 - the curriculum of the educational institution where the foreigner is enrolled as a high-school or university student
 - proof of language skills or proof of enrollment in a course for the language used in the curriculum
 - proof issued by a relevant legal person or competent authority of the Republic of Macedonia indicating approval for specialization, vocational education, or practical training
 - a program for specialization, vocational education, or practical training
 - proof issued by a state authority or institution stating that the foreigner is accepted within an international pupil/student exchange program
 - proof issued by a state authority or institution stating that they will undertake the financial obligation during the stay of the foreigner as a pupil or student within an international exchange program
 - a contract for scientific research concluded with a scientific institution
 - evidence of funding for a research project
 - a certified copy of educational degrees
 - proof issued by a scientific research institution stating financial responsibility related to the foreigners' stay, necessary to conduct the scientific research in the Republic of Macedonia
 - proof issued by a health institution of the Republic of Macedonia receiving the foreigner for medical treatment, where the period of such treatment is indicated
 - proof issued by a health institution of the Republic of Macedonia confirming that the medical treatment is of no harm to the patients who are nationals of the Republic of Macedonia
 - evidence that the foreigner concerned will bear the responsibility for the necessary means for medical treatment
 - evidence of family relations
 - consent of the other parent
- a valid and recognized travel document or its certified copy which must be valid for a period of at least three months longer than the intended stay in the Republic of Macedonia
 - evidence on non-conviction
 - evidence that there are no criminal proceedings against the foreigner in his or her country of origin or the country where the foreigner resides and from which he or she applies for a residence permit, and
 - a photo with the following dimensions: 3cm x 3.5 cm.

When a certified copy of the travel document is attached to the application for a temporary residence permit, the foreigner must also present his or her original travel document for confirmation.

The format of the application for issue/extension of a temporary residence permit is available at each diplomatic or consular mission of the Republic of Macedonia abroad, as well as on the website of the Ministry of Foreign Affairs and the Ministry of Internal Affairs. (Format Nr. 2) www.moi.gov.mk

The Decision whether to grant temporary residence is delivered to the foreigner in person through the diplomatic or consular mission of the Republic of Macedonia abroad.

The Decision is delivered in the Republic of Macedonia in the following cases:

- when the foreigner has legal residency in the Republic of Macedonia and has applied a temporary residence permit for his or her child, born in the Republic of Macedonia, and upon such an application, the Decision whether to grant temporary residence for the child concerned has been made
- a citizen of the Republic of Macedonia, based on a certified proxy, has applied for a temporary residence permit for his or her close family member, and upon such an application, the Decision whether to grant temporary residency for the foreigner concerned has been made
- when an authorized individual from the organizational unit of the Ministry of Internal Affairs has applied for a temporary residence permit on humanitarian grounds on behalf of a foreigner justifiably suspected of being a victim of “trafficking in human beings”, and upon such an application, the Decision whether to grant temporary residency for the foreigner concerned has been made
- when a guardian applies for a temporary residence permit on humanitarian grounds for a foreigner who is under the age of 18, however, remains unaccompanied by a parent or guardian, and upon such an application, the Decision to grant temporary residency for the minor concerned has been made

The format of the Decision to grant temporary residency is available at each diplomatic or consular mission of the Republic of Macedonia abroad, as well as on the website of the Ministry of Foreign Affairs and the Ministry of Internal Affairs. (Format Nr. 3) www.moi.gov.mk

The foreigner reports within five days from the date of entry into the Republic of Macedonia to the organizational unit of the Ministry of Internal Affairs according to his other place of sojourn to be issued a temporary residence permit.

To be issued a temporary residence permit the foreigner must supply the following:

- A decision granting temporary residency issued by the Ministry of Internal Affairs
- A valid and recognized travel document with a visa for long-term stay (Visa D), if required, and
- Proof that the stay in the Republic of Macedonia has been reported

The application for an extension of temporary residency should be submitted to the organizational unit of the Ministry of Internal Affairs according to the place of sojourn. The foreigner should supply the following documents with the application:

- proof that he or she possesses subsistence means or that the subsistence is ensured in another legal fashion
- proof that accommodation has been ensured or possesses means for accommodation

- proof of health insurance
- proof that he or she fulfills the conditions in accordance with the law
- an extension for a temporary residence permit
- a valid and recognized travel document that's valid at least three months longer than the intended stay in the Republic of Macedonia, and
- a photo with the following dimensions: 3 cm x 3.5 cm.

The application for an extension of temporary residency for a child is submitted by one of the parents along with written consent by the other parent or guardian.

The format of the Decision to grant an extension of a temporary residence permit is available at each diplomatic or consular mission of the Republic of Macedonia abroad, as well as on the website of the Ministry of Foreign Affairs and the Ministry of Internal Affairs. (Format Nr. 5) www.moi.gov.mk

7. PROCEDURE CONCERNING RELEVANT TYPES OF WORK PERMITS

A permit for work is a document based on which the domestic or foreign employer concludes a contract on employment or work, or does other business with a foreigner in accordance with the Law on Employment and Work of Foreigners.

Types of work permits:

- Personal work permit
- Employment permit
- Work permit

A personal work permit is issued for a limited period of time of up to one to three years, or for an unlimited period of time.

An employment permit, in principle, is issued for a period of one year, however, in exceptional cases, it can be issued for a period of two years.

A work permit is issued in accordance with different time limits established according to the purpose for which it was issued.

A permit to work, in principle, is issued upon application by an employer, unless the law provides otherwise.

A foreigner can be issued only one type of permit to work for a specified period.

The permit to work is seized or annulled if:

1. the temporary or permanent residence permit has ceased to be valid in accordance with the law
2. the foreigner stays out of the territory of the Republic of Macedonia for an uninterrupted period of more than six months, except when the foreigner is posted, upon an order of the employer, to a foreign country or is absent due to education, sickness, maternity, or childcare leave
3. the foreigner conducts other work than the work permit has been issued for

If the employer, due to any reason, does not manage to establish the employment or contractual relation or terminate such a relation with the foreigner concerned prior to expiry of the permit, the foreigner is obliged to return such a permit to the issuing authority.

The same applies for self-employed persons if they discontinue their activity prior to expiry of the permit.

The responsible persons are obliged to report work:

- within 10 days – in cases of establishing employment relation
- a day before beginning a job, except in cases of establishing employment relations
- within three days after the foreigner concerned arrives in the country, in cases of emergency services where it is only required to report the work

If the responsible person does not report the working activity of a foreigner within 60 days from the date the work permit is issued, it shall be deemed that an employment relation with the foreigner has not been established or a contract has not been concluded, and the Employment Agency shall notify the proper authority at the Ministry of Internal Affairs.

The issue, extension, and seizure of any type of work permit is made by the Employment Agency.

7.1 PERSONAL WORK PERMIT

Any foreigner who intends to establish or co-establish a private commercial company (trade company) in accordance with Company Law and represent such a company based on his other establishment rights, as well as any foreigner who intends to conduct a single-owner business or is a self-employed person, is required to obtain a personal self-employment work permit which is issued for the purpose of representing the company, running a single-owner business, or conducting professional business activities.

A personal work permit issued for the purpose of self-employment as a single owner of a business, valid for one year, can be obtained by a foreigner who is registered in the Central Trade Register of the Republic of Macedonia.

The application for a personal work permit is submitted at the diplomatic or consular mission on Form Nr. RD-1/3 which is attached in the Rulebook.

The documents required with the application are mentioned on the back page of the form.

The application is to contain data, documents, and evidence of the type of activity to be performed by the foreigner, the place and period of activity, qualifications (specialty) including a business plan for the self-employment activity with evidence of investment and economic benefits for the state, the number of new posts, as well as funds available to conduct the activity.

The person responsible for registering the start and completion of employment is the employer that establishes employment relations with the foreigner or the foreigner himself or herself, in case of self-employment.

The personal work permit is issued within 60 days provided that the documentation is complete.

7.2 EMPLOYMENT PERMIT

An employment permit is a type of permit issued for the purpose of permanent employment with an employer on the basis of job systematization. A foreigner that has regulated his or her residency status in the Republic of Macedonia and possesses this type of permit can be

employed only with the employer that has submitted an application for a work permit on behalf of the foreigner..

The employment permit is issued to an employer that expresses a need for an employee to fill a permanent position that cannot be recruited from the domestic labor market.

The permit for the first employment is issued for a period of six months with the possibility to be extended for a total period of one year, with no additional verifications.

The application for employment of a foreign worker which has received a response by the Employment Agency citing a lack of labor on the domestic market, made by the domestic or foreign employer who has a branch office or other organizational business unit present on the market in the Republic of Macedonia, is to be certified and confirmed by the employer who, in accordance with the Labor Law, can place a public announcement for the selection of candidates.

Upon selection, completion, and signing of the contract on employment, the Employment Agency issues the employer a certified copy of the application.

Applications for employment permits are made on Form RD-2/1, attached to the Rulebook on the procedures of issuing various types of work permits. The documents to be attached to the application are mentioned on the back of the form.

Such a certified application together with the necessary documents, in accordance with the Law on Foreigners, is submitted by the foreigner at the diplomatic or consular mission of the Republic of Macedonia in the foreigner's country of origin or the country where he or she holds a residence permit to start the procedure for a permit to work, based on the employer application.

The employment permit is issued within the quota for employment of foreigners.

The person responsible for reporting the start and completion of employment of foreigners is the employer who enters such employment relations.

The employer reports the start and completion of employment of foreigners at the Employment Agency.

Comments:

Proof to be provided by the foreigner according to the procedure for employment permits, which must also include proof obtained from a competent authority of the Republic of Macedonia indicating that the special conditions as prescribed by the law have been fulfilled.

Namely, if the foreigner intends to conduct medical work in a public or private health institution he or she is also required to possess consent from the Ministry of Health, as well as a license from the Medical Chamber of the Republic of Macedonia before he or she obtains the permit to work from the Employment Agency.

7.2.1. EMPLOYMENT PERMIT ISSUED UPON NO PRIOR LABOR MARKET SEARCH

Employment of athletes , people in the arts , scientists, editorial staff, personnel of diplomatic missions with no privileged status, as well as foreigners who work more than three years with the same employer and at the same post, requires no labor market search

due to the type of work they do, thus, employment permits for such persons shall be issued regardless of the labor market conditions.

The employment permit to be issued upon no prior labor market search is also required for sportsmen working for first league sports clubs. The Agency for Youth and Sports provides consent in writing where it is necessary, that a contract between the sportsman and the club has been reached upon opinion of the Federation.

Foreigners who are professional coaches may be employed with amateur clubs provided that nationals seeking employment do not apply for such a position or that the persons applying have equal status as nationals of the Republic of Macedonia as concerns their rights to employment.

The employment permit is issued within 50 days provided the documentation is complete.

7.3 WORK PERMIT

A work permit is a type of permit to work, valid for a predetermined limited period of time, based on which the foreigner can have a temporary job in the Republic of Macedonia in accordance with the purpose of such a permit.

Purpose of work permits: :

1. work of posted foreign workers
2. training and upgrading of foreigners
3. seasonal work of foreigners
4. work of foreign representatives
5. individual services of foreigners

Depending on the purpose, a work permit is applied for on any of the Forms from RD-3/1 to RD-3/9 which are attached to the Rulebook on the procedures for issuance of work permits, format, and contents of separate types of permits. Documents required are listed on the back page of such forms.

In case of non-seasonal jobs, in accordance with the Law on Employment and Work of Foreigners, the work permit is issued for the period indicated in the application made by the employer, and the working period depends on the type of work permit.

Upon selection, completion, and signing of the work contract, the Employment Agency issues the employer a certified copy of the application.

The employer is to deliver a copy of the certified application submitted at the Employment Agency to the foreigner under contract,, upon which, the foreigner can start the relevant procedure with the diplomatic or consular mission.

The certified application for a work permit together with the documents required, in accordance with the Law on Foreigners, is submitted by the foreigner at the diplomatic or consular mission of the Republic of Macedonia in the country of origin of the foreigner or the country of residency to start the procedure for a work permit, based on the application of the employer.

The work permit is issued within 45 days provided the documentation is complete.

Comments:

Upon expiry of the work permit, the foreigner concerned may not be issued an employment or personal work permit unless he or she temporarily ceases to work in the country.

Upon expiry of work permit, such a permit can only be renewed in exceptional cases.

7.3.1 WORK PERMIT FOR CROSS-BORDER SERVICES

A foreign company can provide services through posted workers which have been employed in such a company for at least one year.

A posted worker can be issued a work permit in several turns, however, not longer than a three month period in a calendar year.

If the contract is extended due to objective reasons, the work permit can be renewed for a period no longer than one month.

The employer is obliged to report the start and completion of employment of the foreigner concerned at the Employment Agency.

In exceptional cases, when the service provided is of special significance to the country and the client is a state administrative body, state authority, local authority, or holder of public office, such a service can be provided for a period longer than three months upon written consent of the labor minister.

7.3.2 WORK PERMIT FOR POSTED WORKERS FOR THE PURPOSE OF RE-TRAINING

Re-training of posted workers may be carried out if the Macedonian company owns capital stock of at least 10% in a foreign company, or in the case of a business cooperation or technology transfer between companies, and based on the mutual agreement between the companies they should realize an annual turnover in MKD equivalent of at least 50.000 Euros.

Re-training of posted foreign workers shall be carried out in a company established in the Republic of Macedonia on the basis of a re-training agreement signed by the Macedonian and foreign company.

The foreign company may send an individual worker for re-training several times, however, for a maximum of three months within a two year period..

A work permit for posted workers is issued based on an application submitted by the foreign company.

The foreign company is obliged to report the start and completion of the foreigner's work to the Employment Agency.

7.3.3 WORK PERMIT FOR SERVICES TO BE PROVIDED BY POSTED WORKERS

A foreign legal person may temporarily post their own workers from their place of permanent employment to its branch office or other organizational business unit present on the market of the Republic of Macedonia.

A foreign legal person may post its workers, if they have already been employed there for at least one year. Foreign workers can be posted in the Republic of Macedonia for a maximum period of one year.

A foreign worker may be re-posted to work in the Republic of Macedonia after a temporary cessation of work as imposed by the validity of his or her prior work permit.

During work, foreign workers posted in organisational units in the Republic of Macedonia must possess appropriate health insurance according to the regulations of the Republic of Macedonia.

The foreign company is obliged to report the start or completion of work of the foreigner concerned to the Employment Agency.

7.3.4 WORK PERMIT FOR FOREIGNERS POSTED AT COMPANY ASSOCIATIONS

Foreigners can be posted to company associations if the legal person has registered a branch office or other affiliated trade company in the Republic of Macedonia.

The foreign employer may temporarily post persons to work in the Republic of Macedonia, such as:

- holders of major functions not entered into the Trade Register of the Republic of Macedonia, who are mainly in charge of general supervision of the managers of the organizational units.
- natural persons who work for a legal person and are of special significance and vital to the provision of services, research facilities, methods, or management of the company.

Such a person, in principle, has a status of posted worker for a period of one year.

In case an extension of the work permit is not provided by an international agreement, the work permit cannot be renewed and the employer must apply for an employment permit for the foreigner concerned.

7.3.5 WORK PERMIT FOR PURPOSE OF TRAINING OR ADVANCED TRAINING

A work permit issued to a foreigner for the purpose of training or advanced training in principle concerns cases where the Republic of Macedonia has concluded such a type of agreement with the country of origin of the foreigner..

The training or advanced training program will take place based on a contract for work for a limited period of time and not to exceed one year, unless the law provides otherwise.

The training and advanced training can take place upon no contract for work, if other law provides so, where a written agreement exists between the foreigner who provides such training and the organization at which the foreigner is to conduct it.

During the training program, the foreigner's appropriate health insurance must be ensured in accordance with the legal regulations of the Republic of Macedonia.

The foreigner can participate only once at any individual training or advanced training program.

7.3.6 SEASONAL WORK PERMIT

Seasonal work is allowed for activities of seasonal nature only in cases where the labor demand temporarily exceeds the labor supply.

The natural person who is not registered to conduct such activities can not employ seasonal foreign workers.

In case of seasonal work the employer is required to conclude an employment contract with the foreigner for a limited period of time.

Work permits for activities related to agriculture and forestry can be extended or re-issued to the same employer or other employer for a maximum of three times per year, provided the total duration of such an activity is not more than six months in a calendar year.

The employer can apply for a seasonal work permit for a foreigner to be valid for a period of up to six months, however, in cases of seasonal work in the field of civil engineering, for a period of up to nine months once every calendar year.

The employer is obliged to report the start and completion of work of a foreigner to the Employment Agency.

7.3.7 WORK PERMIT FOR FOREIGN REPRESENTATIVES OF A COMPANY

Company or companies that run single-owner businesses established in accordance with the law applicable to trade companies are obliged to obtain a work permit for a foreigner designated as their representative.

A company of ten employees or less can obtain one permit for work of a foreign representative of the company or one permit for a foreign representative of a particular affiliated trade company regardless of the number of such affiliated companies.

The foreign representative will be issued a work permit for a period of up to one year and it can be extended.

The work permit may be extended a second time if the employer proves that the company was doing business during the period of validity of the prior work permit.

7.3.8 WORK PERMIT FOR INDIVIDUAL SERVICES

Foreigners that are not registered to perform any activity and have a permanent place of residence outside of the Republic of Macedonia can obtain a work permit as service providers under contract, only under justified circumstances. Such service providers are obliged to possess skills which cannot be supplied from the domestic market.

Foreigners that are service providers in the field of science, culture, health, or education can be issued work permits valid for a period of one year in cases where there are no conditions that employment relation must be established.

Foreigners that provide services in the field of health must fulfill the requirements of the regulations related to health care.

A work permit can be issued in several turns in each calendar year, however, for a total period of up to 90 days.

If a contract for work is made for a period longer than one year, the work permit can be renewed on an annual basis until the contract expires.

A client is obliged to report the start and completion of work of a foreigner to the Employment Agency.

7.4 SERVICES TO BE PROVIDED BY FOREIGNERS UPON REGISTRATION

The types of services that, in accordance with the law, are only to be reported without a work permit requirement are the following:

1. services under contract to be provided by foreigners who are artists or professional authors
2. services related to trade fairs
3. services related to supply of goods and post-sale services
4. employment during studies
5. emergency services

7.4.1 SERVICES UNDER CONTRACT TO BE PROVIDED BY ARTISTS OR PROFESSIONAL AUTHORS

Foreigners who are artists, performers, or professional authors that provide entertainment programs, individually or in groups, at performances in the Republic of Macedonia or provide creative services in the field of culture as participants at cultural workshops, meetings, colonies and other cultural events, creators and arrangers in the field of music, music performances, folk dances, ballets and literature, photography, video, films, arts of electronic media as well as experts for cultural heritage protection, librarianship, archives, and creative culture can provide their services in the Republic of Macedonia without being required to have a work permit, **provided that such a service takes no more than seven days.**

For the purpose of regulating residency, foreigners providing creative services in the field of culture are required to obtain consent from the Ministry of Culture.

In case of an activity under contract lasting more than seven days, foreigners are required to possess a work permit according to the type of work they do.

Services provided by foreigners that are artists and professional authors can be supplied in several turns upon registration, **but for a maximum period of 30 days in each calendar year.**

The client or organizer of services is obliged to report the start or completion of work of a foreigner to the Employment Agency.

7.4.2 SERVICES FOR TRADE FAIRS

Foreign workers posted to the country to install, assemble, or display equipment and items for trade fairs and exhibitions at which their employer participates, are not required a work permit if they complete their activity within the time limit not exceeding the period of such a trade fair.

A foreign employer displaying his or her own products and items is obliged to report the work of foreigners to the Employment Agency at the particular location where such a service is supplied.

7.4.3 SERVICES RELATED TO SUPPLY OF GOODS AND POST-SALE SERVICES

These are services provided by foreign workers which are related to the supply of goods and assembly of machines, devices, and equipment when the service provider gives initial instructions to the client's staff and the services include dismantlement of such machines, devices, and equipment.

Included are services for regular maintenance when such services are agreed on by a purchase contract for such machines, devices, or equipment, and supplied by workers employed by the manufacturer.

Services by a supplier which, according to the obligations stipulated by a purchase contract and to the suppliers own expense, include detection of disorders of machines, devices, and equipment supplied.

Services related to supply of goods and post-sale services upon a purchase contract, **may not exceed a period longer than 30 days.**

7.4.4 JOBS DURING STUDIES

A foreigner who stays in the Republic of Macedonia to attend studies can be employed part-time or hold subsidiary jobs not requiring a work permit if the total period of employment does not exceed 10 hours per week.

The employer is obligated to cover the costs for social insurance of the foreigner for the period of part-time or subsidiary employment.

The organizers, clients, or employers are required to register such activities at the Employment Agency at the location where a particular activity is conducted.

7.4.5 EMERGENCY SERVICES

Cases where, upon request of a local client such as a company, state authority, local government, or any other authorized organization, there is an immediate necessity of services of a foreign supplier to identify or prevent any damage or other consequences following natural disasters or other accidents or catastrophes or to take rescue operations or actions to prevent risks to public health.

Such services may not exceed a period longer than 30 days. In all other cases, the client must apply for a work permit for the registered foreigners.

The client for whom the services are intended is required to register such a service at the Employment Agency within three days from the arrival of the foreigner concerned in the country.

8. TEMPORARY RESIDENCE

8.1 TEMPORARY RESIDENCE FOR VOLUNTEERING

Pursuant to the Law on Volunteering temporary residence in the Republic of Macedonia will be granted upon consent from the Ministry of Labor and Social Policy including a contract on volunteering between the foreigner concerned and the competent authority.

Such consent is to indicate the volunteering activity. The condition to obtain the consent is met by supplying evidence that the foreigner has worked in the country concerned for a period of no less than one year. The time limit of the consent for this type of work is a maximum of one year.

8.2 TEMPORARY RESIDENCE FOR RELIGIOUS WORK

For work in religious institutions foreigners must possess consent issued by the Commission on Relations of Religious Communities and Groups.

Each religion can have only one religious community registered in the Unique Court Register. There are five religious communities registered:

- Macedonian Orthodox Church
- Islamic Religious Community
- Catholic Church
- Jewish Community
- Evangelist-Methodist Community

There are 21 religious groups.

It is required that the Community or group concerned supply a document stating that the foreigner is engaged in religious services, prayers, or religious ceremonies. This applies only when such activities are conducted in the religious facilities.

8.3 TEMPORARY RESIDENCE FOR JOURNALISTS

Foreigners that are journalists reporting from the Republic of Macedonia are required to possess a badge accreditation to be provided by the Information Section of the General Secretariat of the Government of the Republic of Macedonia. Mass media representatives of professional TV teams can freely work with no badge requirement for a period of up to 30 days but only upon approval obtained from the relevant institution.

Other groups such as representatives of print mass media that seek accreditation for a period of 30 days up to one year are required to supply the following:

- a letter from the editorial office of the medium designating the foreigner concerned to work in the Republic of Macedonia in its original form
- a CV
- a brief background of the medium concerned
- a copy of an appropriate identification card of the foreigner concerned, such as cameraman, photographer, journalist, etc...
- copy of a valid passport

8.4 TEMPORARY RESIDENCE TO ATTEND SCHOOL OR STUDIES

A high-school student is required to supply a confirmation letter from the particular high school (primary schools do not fall in this category) and a curriculum prepared by the pedagogical council. Private high schools also fall within the Ministry of Education.

The confirmation letter that the person concerned has the necessary language skills or has entered a course for the language used within the curriculum, is to be obtained from the competent institution registered to run such an activity including the necessary documents in accordance with Article 25 of the Rulebook on Foreigners.

Students under the age of 18 are required to supply a permission letter from their parents or guardians, certified by a competent authority from their country of origin or by the diplomatic or consular mission of the Republic of Macedonia abroad (in accordance with Article 28 of the Rulebook on Foreigners).

8.5 TEMPORARY RESIDENCE FOR PARTICIPATION AT INTERNATIONAL STUDENT EXCHANGE PROGRAMS

High-school or university students can enter public announcements in the country with which the Republic of Macedonia has concluded an agreement on international student exchange programs, and they are required to supply a birth certificate, evidence of citizenship, diploma or certificate of education, a recommendation, a receipt confirming that the Ministry will pay for the tuition, accommodation, health insurance, and the costs to return.

The receipt to be presented to the Ministry of Internal Affairs is the one issued by the Ministry of Education which is also required for application of temporary residency at the diplomatic or consular mission.

High-school students in their third and fourth year, 16 years of age, and students up to 26 years of age can participate in such exchange programs.

8.6 TEMPORARY RESIDENCY FOR SPECIALIZATION

In cases regarding scholars, scholarships are issued by the Ministry of Education. In other cases, it is issued by the Ministry of Health, the Clinic, or the competent institutions which provide such specialization.

The application is to be supplied with the decision on specialization, and the program stating the period of specialization.

8.7 TEMPORARY RESIDENCY FOR VOCATIONAL EDUCATION

Vocational education can last for a period of one to two months in museums, certain institutions, work organizations, firms, or agencies.

The foreigner must be an expert for the particular activity as well as practice it. Such an activity can be within a certain program.

The Ministry of Education is to issue its consent to the private or state institution in any field.

8.8 TEMPORARY RESIDENCY FOR PRACTICAL TRAINING (INTERNSHIP)

Practical training means internship for which the foreigner concerned is required to supply the particular program stating the financial supporters or that it is self-financed, as well as whether the foreigner is employed in another country, how long the internship takes, and whether a work permit is required for such an internship.

8.9 TEMPORARY RESIDENCY FOR SCIENTIFIC RESEARCH

Scientific research is regulated by bilateral agreements between relevant scientific institutions.

The Ministry of Education and Science, the Macedonian Academy of Science and Arts, and the accredited higher educational institutions have registers of scientific institutions such as the Institute of Earthquake Engineering and Seismology, Institute for Research of Materials and New Technologies, the Center for Applied Research and Permanent Education in Agriculture, Institute for Tobacco, amongst others financed by the Ministry of Education and Science.

As for residency for the purpose of scientific research the required contracts can only be made with scientific institutions which are listed in the relevant register. There is also a possibility to develop joint scientific research projects which must be approved by the Ministry of Education and Science. In such cases, evidence of financing of such projects is to be supplied.

8.10 TEMPORARY RESIDENCY FOR MEDICAL TREATMENT

For the purpose of medical treatment a foreigner can be granted residency only in the case of hospital treatment in a public or private health institution.

8.11 TEMPORARY RESIDENCY FOR FAMILY REUNIFICATION

A foreigner that intends to visit the Republic of Macedonia in order to stay with family must possess a residency permit before he or she enters the Republic of Macedonia. The residency must be granted prior to the foreigners entry into to the country.

Right to family reunification can be exercised by foreigners who are members of a close family (a spouse, minor children of the foreigner concerned or minor children of his/her spouse and, in exceptional cases, the first-degree relatives in the direct ascending line if they are dependants not enjoying appropriate family support in the domicile country, children of legal age who are unable to take care of their needs due to health reasons as well as parents of a minor if it is to the best interest of the child) only of foreigners who have temporary residency in the Republic of Macedonia, based on work or those who are from the Republic of Macedonia by origin.

8.12 TEMPORARY RESIDENCY FOR CLOSE FAMILY MEMBERS OF CITIZENS OF THE REPUBLIC OF MACEDONIA

A foreigner who is a close family member of a citizen of the Republic of Macedonia according to the conditions set forth and in accordance with this law, is entitled to temporary residency in the Republic of Macedonia.

8.13 TEMPORARY RESIDENCY FOR FOREIGNERS WHO ARE FROM THE REPUBLIC OF MACEDONIA BY ORIGIN

It concerns foreigners who previously had Macedonian citizenship which was discharged.

A foreigner from the Republic of Macedonia by origin is a person who at the moment of birth had one parent that was a citizen of the Republic of Macedonia.

8.14 TEMPORARY RESIDENCY FOR A FOREIGNER'S CHILD BORN IN THE REPUBLIC OF MACEDONIA

A child of a foreigner is not required a temporary residence permit during its first six months after birth.

8.15 TEMPORARY RESIDENCY FOR HUMANITARIAN REASONS

A temporary residence permit for humanitarian reasons can be issued, as an exception, to a foreigner that supplies documents citing a sudden health disorder, serious illness, death of a close family member, , natural disasters, other accidents, or force de majeure.

For humanitarian reasons an unaccompanied or abandoned child can be granted temporary residency.

Comments:

FOREIGNERS WHO POSSESS A DECISION GRANTING TEMPORARY RESIDENCY ARE REQUIRED TO REPORT THEIR PLACE OF SOJOURN

The foreigner who has been issued a decision granting temporary residency in the Republic of Macedonia is obliged to report his or her place of sojourn, and address within three days of entry. The foreigner is to report his or her place of sojourn to the relevant police station upon which an address report card will be supplied for the purpose of being issued a temporary residence permit.

The foreigner who is granted temporary residency is also obliged to report any change of address within three days from such a change, upon which the address report card is supplied to the local authority for foreigners for the purpose of documentation.