

Pursuant to Article 46b, paragraph 10 of the Law on Foreign Nationals ("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 - corrigendum, 101/07, 65/08, 16/11, 68/12 - CC, 72/12, 7/14 - CC, 44/14 and 30/18),

The minister in charge of interior and the minister in charge of employment affairs shall pass by agreement the following

RULEBOOK

on Foreign National's Single Permit to Reside and Work Issuance

"Official Gazette of the Republic of Serbia", number 6 as of January 26, 2024

Article 1

This Rulebook shall prescribe detailed conditions for submitting and processing application for issuing foreign national's single permit to reside and work (hereinafter: single permit) electronically, detailed conditions for issuing a single permit, as well as the single permit form layout.

Article 2

The application for issuing or extension of a single permit (hereinafter: the application for the issuance of a single permit) shall be submitted electronically by the foreign national, the employer on behalf of the foreign national, or the person authorized thereby (hereinafter: the applicant).

If the applicant is a foreign national, registration on the single web portal for foreign nationals will be required (hereinafter: Foreign National's Portal).

Should an employer submit an application for the issuance of a single permit on behalf of a foreign national, it shall be necessary for the employer to register on the "eUprava" (eGovernment) portal (as a legal entity, entrepreneur, branch, institution, etc.), after which a person authorized by the employer can submit an application for the issuance of a single permit on the Foreign National's Portal and undertake other actions, in accordance with the given authorization.

Following the registration, the applicant shall be assigned a Single electronic delivery box (hereinafter: "eSanduče" (eDelivery)).

The application for the issuance of a single permit shall be submitted selecting the appropriate service by filling in the online application form on the Foreign National's Portal, in compliance with the law, and shall be considered successfully submitted when the applicant is notified of the receipt of the application.

Following a successfully submitted application for the issuance of a single permit, the applicant shall, via eDelivery, receive notifications and instructions for further action via Foreign National's Portal.

The employer can submit an application for the issuance of a single permit individually, that is, in a group, for a larger number of persons, on the same basis.

The application can also be submitted from abroad.

Article 3

When submitting an application for the issuance of a single permit, the following proofs shall be enclosed or obtained:

- 1) a valid personal or official passport, i.e. a valid identity card of the country whose citizens, in compliance with the regulations in place, can enter the Republic of Serbia with an identity card;
- 2) proof of the justification of the application, in relation to the specific ground for issuing a single permit and
- 3) short-term address, residential address, i.e. statement of intended residential address for a foreign national submitting an application for issuance of a single permit from abroad.

Proofs from paragraph 1 of this Article shall be enclosed either in an electronic or digital form.

Proofs referred to in paragraph 1 hereof, not issued by the competent authorities of the Republic of Serbia or that was not also written in the Serbian language, shall be enclosed with a translation by an authorized court translator.

When filing an application for the issuance of a single permit, a color photograph of the foreign national, size 35 x 45 mm, must be enclosed.

Along with the application for the issuance of a single permit submitted by the employer, that is, a person authorized by a foreign national or employer, an authorization/power of attorney shall be enclosed, in compliance with the regulation regulating the general administrative procedure.

The short-term address referred to in paragraph 1, item 3) of this article, which is entered when filling in the application form for the issuance of a single permit, shall refer to the address in the territory of the Republic of Serbia where the foreign national has a registered short-term address and lives. For an application for the issuance of a single permit that is submitted electronically from abroad, proof of residential address shall be provided by enclosing a tenancy agreement or a statement of the intended residential address, in compliance with the law.

The residential address referred to in paragraph 1 item 3) of this article, which is entered when submitting an application for the extension of a single permit, refers to the address in the territory of the Republic of Serbia where the foreign national lives and which was last recorded in the previously issued single permit.

Article 4

In line with Article 40, paragraph 1, items 1) and 5) of the Law on Foreign Nationals ("Official Gazette of the RS", no. 24/18, 31/19 and 62/23) and the provisions of the law regulating the employment of foreign national, the grounds for submitting an approval for the issuance of a single permit can be:

- 1) employment,
- 2) assigned or delegated person,
- 3) intra-corporate transfer
- 4) an independent professional
- 5) professional training and development
- 6) self-employment

Article 5

When submitting an application for the issuance of a single permit based on employment, the employer or a legal or natural person, authorized by the employer, shall initiate the procedure for conducting a labor market test.

If the application for the issuance of a single permit on behalf of a foreign national is submitted by the employer or a legal or natural person authorized by the employer, the request for conducting the labor market test shall be submitted at the same time, by filling in the appropriate request in online form, which shall be included in the application for the issuance of a single permit on the Foreign National's Portal.

The employer can also submit a request for conducting the labor market test on the eGovernment portal, by filling in the request in online form, no earlier than 60 days before, and no later than on the day of submitting the application for issuing a single permit.

By recording the request for conducting the labor market test, the number of such request shall be systematically generated (hereinafter: ID number) which shall be entered in the corresponding field on the application form for issuing a single permit.

When the applicant for the issuance of a single permit is a foreign national, he/she shall obtain the ID number from the employer, who shall submit the request for the procedure for conducting the labor market test in compliance with paragraph 3 hereof.

If the employer or a legal or natural person, authorized by the employer, when submitting an application for the issuance of a single permit, already holds an ID number, such shall be entered in the appropriate field, without initiating the procedure for conducting a new labor market test.

The application for issuing a single permit submitted by the employer as a group, for a larger number of persons, shall be submitted for the same or

smaller number of persons in relation to the number of persons included in one request for conducting the labor market test for the same title and job description, of the same occupation.

Article 6

To prove the justification of the application for the issuance of a single permit on the grounds of employment, the following proof shall be enclosed or obtained:

- 1) a draft employment contract or another contract by which a foreign national exercises his/her employment rights without entering the employment relationship in compliance with the law;
- 2) an excerpt from the Rulebook on the Systematization and Organisation of Workplaces, or an employer's statement containing a job title and description, qualification level and type, i.e., education and other special conditions for working in the position if the employer employs less than 10 employees;
- 3) diploma, certificate, or other public document proving the appropriate qualification level and type obtained;
- 4) certificate proving that an employer has not fired employees due to technological redundancies, economic or organisational changes in workplaces for which a single work permit is requested within 90 days prior to submitting the application for a single work permit in compliance with labor regulations.

The certificate referred to in paragraph 1, item 4) of this Article shall be obtained by the organization responsible for employment through official means.

Article 7

To prove the justification of the application for the issuance of a single permit on the grounds of a assigned or delegated person, the following proof shall be enclosed or obtained:

- 1) contract on business and technical cooperation concluded between the employer and the foreign employer;
- 2) employer's and foreign employer's act of a foreign national's assignment or delegation to the Republic of Serbia, in compliance with the law regulating the conditions for employment of foreign nationals;
- 3) foreign employer's act or certificate of employment abroad, i.e. work engagement;
- 4) employer's and the foreign employer's statement that the foreign national shall be returned to work with the foreign employer at the end of the secondment, unless the same is provided for in the act referred to in item 2) of this paragraph.

Article 8

In order to prove the justification of the application for the issuance of a single permit based on intra-corporate transfer, the following proof shall be enclosed or obtained:

- 1) employer's and foreign employer's act on foreign national's temporary referral to the Republic of Serbia;
- 2) foreign employer's act or a certificate of employment, i.e. employment of a foreign national as a manager, specialist or intern;
- 3) employer's and foreign employer's statement that the foreign national will be returned to work with the foreign employer after the end of the secondment, unless the same is provided for in item 1) hereof and
- 4) employer's excerpt on registration in the Republic of Serbia proving that an employer registered in the Republic of Serbia is a subsidiary of a company registered abroad, i.e. as proof of the connection between the employer and the foreign employer from which the foreign national is referred.

Article 9

To prove the justification of the application for the issuance of a single permit on the grounds of an independent professional, the following proof shall be enclosed or obtained:

- 1) act on the registration of an independent professional abroad;
- 2) the contract on the provision of contracted services with the employer or the end user of the services, which necessarily contains a deadline for the performance of the work;
- 3) diploma, or certificate of professional qualifications;
- 4) a document, i.e. a certificate of work experience in a line of work for at least three years.

Article 10

To prove the justification of the application for the issuance of a single permit on the grounds of training and development, the following proof shall be enclosed or obtained:

- 1) either a contract signed with an employer or another document proving training or internship, professional practice, work placement, professional training, i.e. professional development followed by place and duration of thereof;
- 2) diploma, certificate, or other public document proving appropriate qualification level and type obtained;

Article 11

To prove the justification of the application for the issuance of a single permit on the grounds of self-employment, a document, i.e. a certificate confirming that

the foreign national holds appropriate qualifications to perform a specific activity, in compliance with the law, must be enclosed.

Article 12

Along with the proof referred to in Articles 6–11 hereof, to prove the justification of the application for the issuance of a single permit, the excerpt of the employer's registration in the Republic of Serbia shall also be considered.

Article 13

The organization responsible for employment shall assess the fulfillment of employment conditions on the basis of the conducted labor market test from Article 5 of this Rulebook and the assessment of evidence referred to in Articles 6-12 hereof, in compliance with the law regulating the conditions for employment of foreign nationals.

The assessment referred to in paragraph 1 of this Article shall be carried out with the grade "meets (conditions)", which includes the time period until which the given assessment is valid, or with the grade "does not meet (conditions)", which contains the reasons why the conditions are not met and shall be submitted to the competent authority electronically.

Article 14

If the application for issuing a single permit is submitted in compliance with Article 46b paras. 3 and 7 of the Law on Foreign Nationals, the competent authority, after considering evidence of the existence of interests or force majeure, may enable the submission of such an application, in compliance with the law.

A foreign national shall prove the existence of the reasons referred to in paragraph 1 hereof, by enclosing documentation on illness, natural disaster and other calamity, unforeseen events with the foreign national or members of his/her immediate family (severe illness, death, etc.), i.e. by another document that proves the validity of the reasons which may enable a foreign national to submit an application for a single permit.

Article 15

Prior to collecting biometric data, the police officer shall check the identity of the foreign national, based on the foreign travel document that the foreign national possesses or based on the identity card of the country whose citizens, in compliance with the regulations in place, can enter the Republic of Serbia with an identity card, and then determine whether prescribed fees for the issuance of the document have been paid in compliance with the regulations regulating the amount of fees and charges for the issuance of a temporary residence permit, i.e. a single permit.

Article 16

Following the collected biometric data, the foreign national shall inspect the data and give one's consent that his/her personal data has been accurately and properly recorded, after which the foreign national shall be issued a confirmation of the initiated process of issuing a single permit card, which shall be personally delivered to the foreign national.

The certificate referred to in paragraph 1 of this Article shall contain the foreign national's Personal identification number, on the basis of which the employer shall submit an application for mandatory social insurance, in compliance with the law.

Article 17

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

The form shall be made in compliance 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 industry data elements for interchange, 7816-8, for interindustry security commands, and 7816-9, for card control commands related to electrical circuits and contacts.

The protective elements on the single permit form shall include: micro printing, OVI (optically variable ink) for a graphic display in the form of a shield with four lenses with the edges facing the vertical beam of the cross, guilloche lines, iris printing, printing with UV colors, UV threads, control number, DOVID (Diffraction Optical Variable Element), in accordance with the defined technical specification and Artwork approved by the customer and MLI zone.

Article 18

The information on the single permit form shall be written in Serbian, in Cyrillic script, and in English.

The single permit form on the front page shall contain the title: "TEMPORARY RESIDENCE AND WORK PERMIT" and the following information: surname and first name of the foreign national, date of birth (day, month and year of birth), gender, citizenship, registration number of the single permit, date until which the document shall be valid, grounds of residence, photo of the foreign national, picture of the owner's signature and notes.

In the note on the permit card for temporary residence and work, the following title shall be entered: single permit.

The single permit form shall contain the following information on the back: document serial number, foreign national's Personal identification number, country of birth, issuing authority, date of issue and machine-readable zone.

In the single permit card chip, in addition to the visible data, the foreign national's biometric fingerprint, a space for a machine-readable zone for the purposes of automatic data reading, followed by the full title of the grounds for issuing a single permit, the full title of the citizenship, information on whether the foreign national is entitled to work, residential address data and other data, are entered in compliance with the law.

If the residential address changes, in compliance with the law, the foreign national shall address the competent authority on the territory of which the new residential address is located, and the data on the change of residential address and the date of the change of residential address shall be recorded in the single permit card chip.

In case of a change of residential address or a change of street name/numbering, the foreign national shall be required to contact the competent authority in order to have the said change of data recorded in the chip, without issuing a new single permit card.

Article 19

The single permit form layout shall be printed in the annex to this Rulebook and shall form an integral part thereof (Form 1). The Instruction on the manner of collection of biometrical data shall pose an integral part of Form 1.

Article 20

During the validity of the single permit, a foreign national, i.e. an employer on behalf of a foreign national or a legal or natural person authorized by a foreign national or an employer, can submit a request for consent to change the grounds of work, change of employer or for employment with two or more employers, electronically on the Foreign National's Portal, within the service intended for issuing a single permit to a foreign national.

The locally competent organizational unit of the organization responsible for employment affairs shall decide on the request referred to in paragraph 1 of this Article, based on the report on the conducted labor market test referred to in Article 5 of this Rulebook and the assessment of the enclosed evidence set forth in Articles 6/12 of this Rulebook.

Exceptionally, the request referred to in paragraph 1 of this Article can be submitted within 20 days from the date of termination of the validity of the previous employment contract or other employment contract.

The organization responsible for employment affairs shall electronically submit notifications to the competent authority about the submitted request and the outcome of the procedure referred to in paragraph 1 of this Article.

The organization responsible for employment shall submit to the ministry responsible for employment a quarterly report on submitted requests and the outcome of the procedure referred to in paragraph 1 of this Article.

Article 21

In the event that the single permit is declared invalid, i.e. when damaged, when the photo no longer matches the appearance of the foreign national, or when for other reasons the previously issued card cannot serve its purpose, the provisions of this rulebook for issuing a single permit in the form of a card shall be applied accordingly.

In the case of paragraph 1 of this Article, a new single permit shall be issued by the competent authority in whose territory the foreign national has a registered residential address, for the period from the date of submission of the application for the issuance of a new single permit to the day corresponding to the expiration date of the single permit being amended.

In the case of paragraph 1 of this Article, new biometric data shall be collected only if there has been a change affecting the identification of the foreign national.

If a previously issued single permit is available to the competent authority, it shall be physically canceled by perforation, once a new card has been issued.

Article 22

A foreign national who has been granted a temporary residence and issued a work permit, in compliance with the regulations that were in force until the date of application of this rulebook, shall continue to reside and work until the expiration of the period for which the temporary residence was granted and a work permit issued, in compliance with the law.

A foreign national referred to in paragraph 1 of this article may change his/her workplace within the same employer, upon whose request a work permit was issued, without obtaining the special consent of the organization responsible for employment affairs.

Article 23

Proceedings that were started in compliance with the regulations that were valid until the entry into force of this Rulebook, shall be completed in compliance with those regulations.

Procedures for application for approval of temporary residence and unified application for approval of temporary residence and issuance of a work permit to a foreign national, which were submitted in compliance with the regulations that were in force until the beginning of the implementation of this rulebook, shall be completed in compliance with the provisions of those regulations.

A foreign national who has been granted a temporary residence permit in compliance with the regulations that were in force until the beginning of the application of this Rulebook, shall obtain a work permit in compliance with the regulations that were in force at the time of the approval of the temporary residence.

Article 24

On the date of application of this Rulebook, the following shall cease to be valid:

- 1) Rulebook on work permits ("Official Gazette of RS", no. 63/18, 56/19 and 84/22) and
- 2) Rulebook on the unified application for approval, i.e. extension of temporary stay and issuance of a work permit to a foreign national ("Official Gazette of RS", number 144/20).

Article 25

This Rulebook shall enter into force on February 1, 2024.

01 number 021-56/24-10

In Belgrade, January 25, 2024

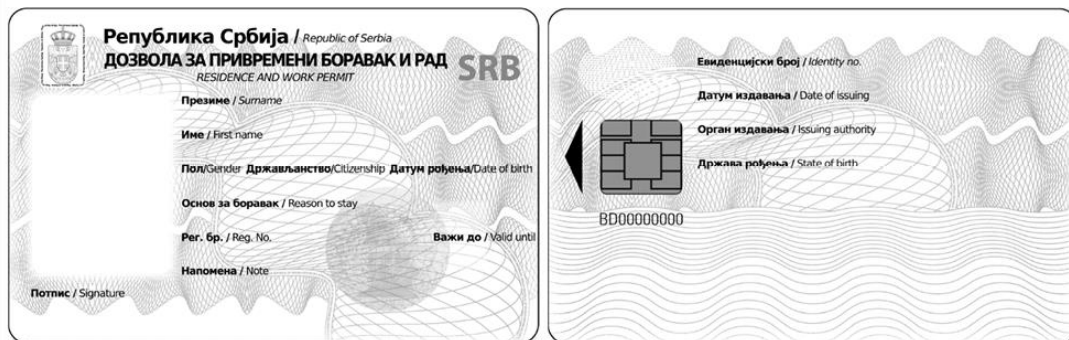
Minister of Interior

Bratislav Gašić, duly

Minister of labor, employment, veteran
and social policy

Nikola Selaković, duly

Образац 1.



Instruction on the manner of collection of biometrical data

Collecting biometric data (photo, fingerprints and signature of a foreign national) implies collecting data using appropriate technical means and transferring such data into electronic form.

The photograph shall be taken using a digital camera, so that 70-80% of the photo is occupied by the face; that the photo is sharp and clear, of high quality and shows the natural color of the skin; that the face looks directly into the camera, that both edges of the face are clearly visible, without smiling or grimacing, with the mouth closed; that the eyes are open and clearly visible (no hair over the eyes); that there is a plain gray background behind the face being photographed; for a face with glasses: eyes clearly visible, so that the frame

does not obscure any part of the eye, without reflection; the photo must not show other people, pieces of furniture or other objects.

Taking a fingerprint shall be done with a fingerprint scanner and involves taking a print of the left and right index finger, by touching and rolling the finger in one direction from one edge of the nail to the other. If the person does not have an index finger, the impression of the next finger shall be taken in this order: thumb, middle finger, ring finger, little finger. If taking fingerprints with a scanner is not possible for any reason, or if the fingerprints thus taken cannot be used for biometric processing or the person does not have fingers, a note NA (not available) shall be entered in the records.

The signature shall be taken using a tablet for digitizing signatures, and the signature taken must be written legibly.

The official shall enter into the prescribed records, the information from which fingers the fingerprints were taken, i.e. that fingerprinting is not available, which he/she shall confirm by affixing his/her signature. If the person is illiterate or for other objective reasons it is not possible to take a signature, a note shall be entered and the space for the signature shall remain empty.

Fingerprints and signatures shall not be taken for foreign minors up to the age of 12.