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Changes in the Federal Law "On legal status of foreign citizens in the Russian Federation"

On 30 December 2012 Federal law No. 320-FZ "On amendments to the Federal Law "On legal status of foreign citizens in the Russian Federation" (hereinafter – the "Law") was signed by the President of Russia.

The Law is aimed at implementation of provisions of Russian Federation Conception of state migration policy for the period till 8 June 2025 (No. Pr-1490 dated 8 June 2012) simplifying the procedures of obtaining the permissible documents for engaging foreign employees, principally, foreign highly qualified specialists (hereinafter – the "HQS").

The Law provides for possibility to submit in electronic form via Internet (including the Portal of state and municipal services) documents for hiring the HQS, extension of term of early issued work permit for the HQS, notifications on remuneration payment to the HQS, on provision of unpaid leave for the term exceeding 1 month during the year, on dismissal of the HQS. Submission of documents for hiring the HQS and extension of term of early issued work permit for the HQS in electronic form does not release from its subsequent submission in hardcopy to the federal migration authority within established term of documents processing (14 working days).

The important novelty of the Law is release of temporary residing foreign citizens from their obligation to obtain the work permit.

Temporary residing foreign citizens are foreign citizens both from visa and non-visa countries who hold temporary residence permit. Before adoption of the Law these persons were obliged to obtain additionally the work permit within quotas established by the Government.

In view of lawmakers, this order represented an excessive administrative barrier and was inconsistent with temporary residence conditions restricting the work activity outside the region of temporary residence.

On 31 December 2012 the Law was published on the Official internet portal of legal information (<http://www.pravo.gov.ru>) and came into effect from this date.