




**Izmene i dopune  
Zakona o strancima i Zakona o zapošljavanju stranaca  
Amendments to the  
Law on foreigners and the Law on the employment of foreigners**

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Novim izmenama i dopunama zakona o strancima i zakona o zapošljavanju stranaca, koje će se primenjivati od 1. februara 2024. godine („Izmene i dopune“), značajno se pojednostavljuje i skraćuje postupak ostvarivanja prava na radno angažovanje stranih državljana u Republici Srbiji i doprinosi povećanju efikasnosti samog postupka, a čime će stranci u veoma kratkom roku moći da budu radno angažovani u Republici Srbiji.

The new amendments to the law on foreigners and the law on the employment of foreigners, which will apply from 1 February 2024 (“Amendments”), significantly simplify and shorten the procedure for employment of foreign citizens in the Republic of Serbia and contribute to increased efficiency of the procedure, which will allow foreigners to be employed in the Republic of Serbia in a very short period of time.

## **Jedinstvena dozvola**

Naime, za razliku od dosadašnjeg rešenja, koje je podrazumevalo prethodnu obavezu regulisanja privremenog boravka, a nakon toga podnošenje zahteva za izdavanje dozvole za rad, Izmene i dopune uvode jedinstvenu dozvolu koja istovremeno predstavlja i dozvolu za privremeni boravak i dozvolu za rad.

Jedinstvena dozvola izdavaće se u jedinstvenom postupku, pred jednim državnim organom - Ministarstvom unutrašnjih poslova Republike Srbije. U okviru ovog jedinstvenog postupka nadležni državni organi vršiće sve neophodne provere, nakon čega se, ukoliko se utvrdi da su svi uslovi ispunjeni, izdaje jedinstvena dozvola.

U postupku izdavanja jedinstvene dozvole učestvuje i Nacionalna služba za zapošljavanje, koja proverava ispunjenost uslova za zapošljavanje stranog državljanina, kao vid prethodnog mišljenja u postupku izdavanja jedinstvene dozvole. Svi dokazi neophodni za ocenu ispunjenosti uslova za izdavanje jedinstvene dozvole podnosiće se takođe elektronskim putem.

## **Single permit**

Namely, unlike the previous solution, which implied a previous obligation to regulate temporary residence, and then submit a request for a work permit, the Amendments introduce a single permit which will represent both a temporary residence permit and a work permit.

A single permit will be issued in a single procedure, conducted entirely before one authority - the Ministry of Internal Affairs of the Republic of Serbia. Within this single procedure, the competent authorities will carry out all necessary assessments and, if all conditions are fulfilled, issue a single permit.

The National Employment Service also participates in the process of issuing a single permit, by checking the fulfilment of the conditions for employment of a foreign citizen, as a form of preliminary opinion in the process of issuing a single permit. All of the evidence necessary to assess the fulfilment of the conditions for issuing a single permit will also be submitted electronically.

Jedinstvena dozvola moći će da bude izdata na period do tri godine. Takođe, i privremeni boravak, bez obzira na njegov osnov, u skladu sa Izmenama i dopunama, moći će da se odobri za vremenski period do tri godine, umesto dosadašnjeg perioda od jedne godine.

Izmenama i dopunama precizirano je u kojim situacijama stranac ima pravo da u Republici Srbiji radi i bez pribavljanja jedinstvene dozvole, odnosno određenim kategorijama stranaca sa regulisanim boravkom u Republici Srbiji se omogućava pravo na rad bez obaveze pribavljanja jedinstvene dozvole.

Tu spadaju pre svega stranci kojima je odobren privremeni boravak po osnovu prava svojine na nepokretnostima, po osnovu spajanja porodice sa članom uže porodice državljanina Republike Srbije, kao i druge kategorije stranih državljana.

A single permit may be issued for a period of up to three years. Also, temporary residence, regardless of its basis, in accordance with the Amendments, may be approved for a period of up to three years, instead of the previous period of one year.

The Amendments specify in which situations a foreign citizen has the right to work in the Republic of Serbia without obtaining a single permit, i.e., certain categories of foreigners with regulated residence in the Republic of Serbia are granted the right to work without the obligation to obtain a single permit.

These include primarily foreigners who have been granted temporary residence based on ownership of real estate, family reunification with a member of the immediate family of a citizen of the Republic of Serbia, as well as other categories of foreign citizens.

### **Digitalizacija postupka**

Pored toga, jedna od značajnijih novina jeste i kompletna digitalizacija postupka izdavanja, odnosno produženja jedinstvene dozvole, a što značajno doprinosi ubrzanju procedure i njenoj većoj efikasnosti, a čime je, takođe, omogućeno i podnošenje zahteva iz inostranstva. Naime, podnošenje zahteva za izdavanje jedinstvene dozvole vršiće se elektronski, preko javno dostupnog veb portala.

### **Test tržišta rada**

Pored toga, Izmene i dopune su značajne i za same poslodavce koji direktno zapošljavaju strance, imajući u vidu da će se i zahtev za sprovođenje testa tržišta rada od sada podnosi elektronskim putem na veb portalu.

### **Biometrijski dokument**

Dalje, Izmjenama i dopunama predviđeno je da se jedinstvena dozvola, kao i odobrenje privremenog boravka izdaje u vidu biometrijskog dokumenta, čime se zamjenjuje nalepnica privremenog boravka koja se utiskuje u pasoš stranca.

### **Digitization of the procedure**

In addition, one of the significant novelties is the complete digitization of the procedure for issuing or extending a single permit, which significantly speeds up the procedure and contributes to its efficiency, and also enables the submission of requests from abroad. Namely, the submission of requests for the issuance of a single permit will be done electronically, through a publicly accessible web portal.

### **Labor market test**

In addition, the Amendments are also significant for employers who employ foreign citizens directly, having in mind that the request for conducting the labor market test will also be submitted electronically on the web portal.

### **Biometric document**

Further, the Amendments stipulate that the single permit, as well as the approval for temporary residency, will be issued in the form of a biometric document, instead of the temporary residence sticker in the foreign citizen's passport.

A photograph of a document, likely a visa or passport page, with several red and blue stamps. The stamps include the date '2017-09-01' and the word 'CHINA'. There is also a circular stamp with a portrait. The text on the document is partially obscured by a large white quote.

“ The new amendments to the law on foreigners and the law on the employment of foreigners, significantly simplify and shorten the procedure for employment of foreign citizens and contribute to increased efficiency of the procedure, allowing foreigners to be employed in the Republic of Serbia in a very short period of time. ”

### **Privremeni boravak**

Određenim kategorijama stranaca koji podnose zahtev za odobrenje privremenog boravka u Republici Srbiji procedura je dodatno olakšana time što su oslobođeni obaveze podnošenja dokaza o sredstvima za izdržavanje i dokaza o zdravstvenom osiguranju tokom planiranog boravka u Republici Srbiji. Ta olakšica se odnosi na stranca koji je član uže porodice srpskog državljanina i na stranca koji podnosi zahtev po osnovu zapošljavanja.

### **Stalno nastanjenje**

Takođe, izvršene su i izmene koje se odnose na postupak za odobravanje stalnog nastanjenja u Republici Srbiji. Pre svega predviđeno je da se stalno nastanjenje može odobriti stranom državljaninu koji tri godine neprekidno boravi na teritoriji Republike Srbije po osnovu odobrenog privremenog boravka, umesto dosadašnjih pet godina. Takođe, stranac kojem je odobreno stalno nastanjenje u Republici Srbiji ima pravo na rad u Republici Srbiji i bez izdavanja jedinstvene dozvole. Pored toga, važno je naglasiti da će se i zahtev za stalno nastanjenje podnositi elektronskim putem.

### **Temporary residency**

For certain categories of foreigners who submit a request for approval of temporary residence in the Republic of Serbia, the procedure is further facilitated by the fact that they are exempted from the obligation to submit proof of means of subsistence and proof of health insurance during the planned stay in the Republic of Serbia. This benefit applies to the foreign citizen who is a member of the immediate family of a Serbian citizen and to the foreign citizen who applies based on employment.

### **Permanent residency**

Also, the procedure for approval of permanent residency in the Republic of Serbia is changed. First of all, permanent residency may be granted to a foreign citizen after three years of continuous residency on the territory of the Republic of Serbia, instead of the previous five-year period. Also, a foreigner who has been granted permanent residency in the Republic of Serbia will have the right to work in the Republic of Serbia without a single permit. In addition, it is important to emphasize that the application for permanent residency will also be submitted electronically.



## **Viza D**

Radno angažovanje stranih državljana u Republici Srbiji olakšano je i stranim državljanima koji podnesu zahtev za izdavanje vize za duži boravak (Viza D).

Naime, njima je omogućeno da odmah po dolasku u Republiku Srbiju mogu da budu radno angažovani, imajući u vidu da Viza D izdata po osnovu zaposlenja, istovremeno predstavlja i boravišnu i radnu dozvolu u periodu važenja izdate vize, a najduže do 180 dana.

Ova izmena podrazumeva da će organi koji učestvuju u postupku odobravanja vize izvršiti neophodne provere i utvrditi da li su uslovi za izdavanje vize ispunjeni, dok se stranac još uvek nalazi u inostranstvu.

## **D Visa**

Work engagement of foreign citizens in the Republic of Serbia is also simplified for foreign citizens who apply for a long-term visa (D Visa).

Namely, they are enabled to be employed immediately upon arrival to the Republic of Serbia, having in mind that D Visa issued on the basis of employment, simultaneously represents a residence and work permit during the period of validity of the issued visa, up to a maximum of 180 days.

This change means that the authorities participating in the visa approval process will carry out all the necessary assessments and determine whether the conditions for issuance are met, while the foreign citizen is still abroad.

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