

Mobility: Immigration alert

August 2023



Serbia

New rules relating to residence permits and Single Permits

Executive summary

Serbia recently adopted several amendments to its Law on Foreigners and Law on Employment of Foreigners that impact individuals who hold or apply for Serbian residence permits. Some of these went into effect on 4 August 2023, while others, including the introduction of a new Single Permit, will be implemented effective on 1 February 2024.

Key developments

The following amendments went into effect on 4 August 2023:

- ▶ Temporary residence permits (TRPs) are now valid for up to three years (up from one year).
- ▶ Holders of TRPs can now submit extension applications until the date of their current permit's expiry. Previously, they were required to submit extension applications no less than 30 days before the expiry of the current permit.
- ▶ Holders of TRPs are now eligible to apply for permanent residence after residing in Serbia for three consecutive years (down from five years).
- ▶ The Serbian parliament can now determine the necessary conditions to be met for issuance of TRPs to special categories of third-country nationals (e.g., investors, digital nomads, highly qualified professionals). The authorities are expected to issue further details regarding TRP eligibility requirements for these categories in the future.

Effective 1 February 2024, the government will start issuing Single Permits to eligible third-country nationals, and the following amendments will go into force:

- ▶ In general, Single Permits will be issued with an initial validity period of up to three years (up from one year currently for work permits and TRPs).
- ▶ Holders of Single Permits will be able to extend these permits for up to three years. Extensions will be approved on a case-by-case basis.
- ▶ The Single Permit will be issued as a biometric document. Currently, work permits and TRPs are issued physically.
- ▶ The government will process Single Permit applications in 15 days (down from 60 days cumulatively for work permits and TRPs).
- ▶ Individuals will be able to start working in Serbia from the day they submit a Single Permit application. Currently, work permit applicants can start working only after they receive the permit.
- ▶ Employers that sponsor Single Permit applicants pursuant to a local (Serbian) employment contract will be required to conduct a labor market test for four days (down from 10 days currently for employers that sponsor work permits and TRPs for local hires) prior to hiring these individuals.
- ▶ Single Permit holders will be able to change their job position or employer by applying for and obtaining consent from the Serbian Employment Agency, without canceling their existing permit. Currently, work permit holders must cancel their existing permit and obtain a new one when changing their job position or employer.
- ▶ Single Permit holders will be able to submit extension applications until the date of (and no earlier than 90 days

prior to) their permit's expiry. Currently, TRP holders must submit extension applications at least 30 days prior to their permit's expiry.

- ▶ Dependents of Single Permit holders who obtain residence authorization for family union purposes will be eligible to undertake work in Serbia. Currently, dependents of work permit and TRP holders who obtain residence authorization for family union purposes cannot undertake work.
- ▶ Single Permit holders will be eligible to apply for permanent residence after residing in Serbia continuously for three years (down from five years currently for work permit and TRP holders).

Impact on employers

These amendments are expected to grant Serbian employers greater access to international talent and reduce the time and costs associated with sponsoring foreign nationals to obtain work and residence authorization in Serbia.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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