

Visa and Work Permit Guide for Foreign Nationals Working in Macedonia



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1 Introduction

Foreign investors must spend a significant amount of time in Macedonia during the start-up and knowledge transfer phase of an investment. Depending on the industry and business model, some foreigners will likely need to remain and work long term in the country in order to ensure coordination with other business units, replication of processes, continued oversight and more.

This Guide is meant to provide current and potential foreign investors with practical information on the Macedonian visa, residence and work permit issuance process in plain language. In addition to providing formal process details, it also identifies some of the challenges faced by business people in this area. Due to language barriers, the need for official translations and other onerous paperwork requirements, most companies engage a lawyer to expedite this process.

Please note these procedures and document requirements can change without notice, sometimes where the only reliable source of detail on the change can be obtained at the service counter in the public institution itself. We have done our utmost to present an accurate picture for our readers at the time of publication, but apologize for any inaccuracies it may contain.

2 Application location & general requirements

The Macedonian Ministry of Foreign Affairs issues all types of visas at its consulates around the world. Certified work permit and temporary residence permit applications are also accepted at the country's consulates, though they are technically processed by the Employment Services Agency (ESA) and the Ministry of Interior (MOI), respectively.

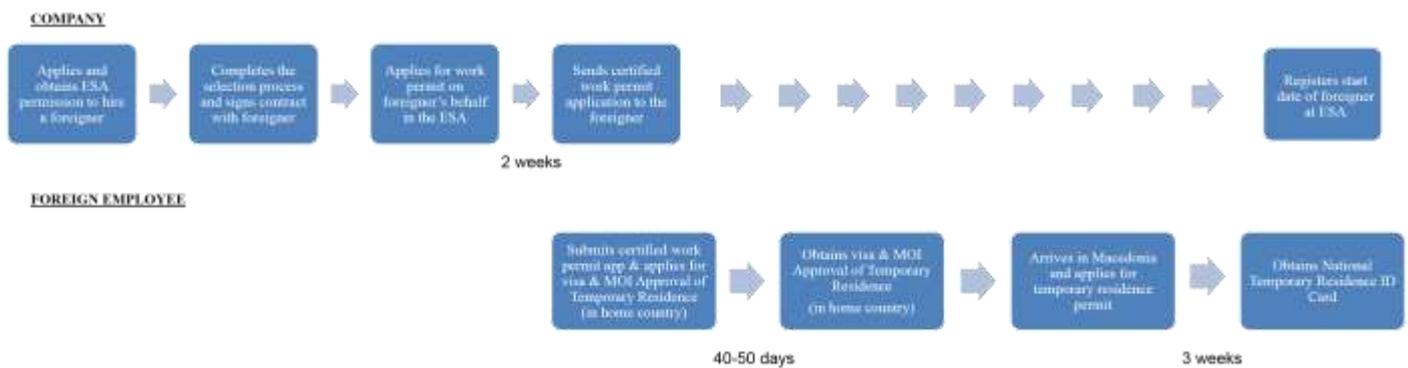
To find the embassy or consulate nearest you, visit <http://www.mfa.gov.mk/?q=node/1853>. Please note that applicants must generally submit their visa, temporary residence and work permit application forms and supporting documents in person. When the applicant lives a considerable distance from the nearest Macedonian consulate, the consulate may allow the applicant to file by e-mail or mail¹. In such cases, the applicant must still pick up the finalized documents in person.

At the time of publication, U.S., EU and Schengen country citizens were not required to obtain entry visas to stay in Macedonia up to 90 days within a single 6 month period, as long as no income is generated during their stay. A full list of visa requirements by country is available at: <http://www.mfa.gov.mk/?q=node/308&language=en-gb>.

3 Hiring a new foreign employee

Companies should expect the full process to hire a foreign employee to last 2-3 months. Much of the process of hiring a foreigner must be led by company representatives present in Macedonia. The following graphic depicts the high level process of first obtaining permission to hire a foreigner through reporting the start of their work engagement in country.

¹ Applicants must contact the nearest consulate directly to inquire whether the consulate will make an exception in their case. If allowed, the visa application and supporting documents must be scanned and submitted in JPG format with 300 dpi resolution for the photograph and 150 dpi resolution for the remaining documents.



3.1 Employer seeks permission to hire a foreigner

Employers in Macedonia that intend to hire a new foreign employee must first register this intention with the Employment Services Agency (ESA).² To do this, the company submits the following documents to the ESA:

- Request to facilitate the employment of foreign nationals³ (4 original copies);
- Macedonian company registration details issued by the Central Registry⁴;
- Copy of future employee's passport;
- Original and notarized copy of the future employee's highest received diploma;
- Original and notarized copy of other relevant certificates proving the person's professional qualifications;
- Copy of resume or CV of the employee.

NOTE: All original foreign documents submitted to Macedonian local authorities (including passports) have to be accompanied by a translation performed by a locally certified court translator (i.e., bearing their original stamp and signature).

The ESA is then required to respond within 15 days whether or not the company's need could be met by the local labor market.⁵ Upon receiving formal confirmation from the ESA, the company should formally announce the vacancy via the ESA's online system, complete the selection process and sign an employment contract with the foreigner.

3.2 Employer applies for work permit on employee's behalf

Macedonia's Employment Services Agency (ESA) is required to issue work permits within 5 days of company application. Initial work permits are generally issued for 6-12 months and renewed thereafter on an annual basis. Companies must only pay a small fee for the ESA statement confirming that the qualifications they require for the position could not be found on the local labor market.

² Companies who are simply assigning an existing employee to a position in Macedonia do not need to do this first step. See section 5 of this document for details on "Seconding existing employees to work in Macedonia".

³ The official name of this document in Macedonian is "Барање за посредување при вработување на странски државјани (работници)".

⁴ According to the legal changes adopted in Oct. 2013 the ESA is now required to gather all documents issued by other State institutions (e.g., Central Registry), relieving companies of this burden while applying for work permits.

⁵ If ESA finds that the company's need could be met by the local labor market, the employer would be denied the right to hire a foreigner. To AmCham's knowledge this has not occurred with any of its member companies.

To apply for a work permit on the employee's behalf at the ESA, the company must submit the following documents:

- Application form RD-2/1;
- Macedonian company registration details issued by the Central Registry;
- The financial report of the Macedonian company issued by the Central Registry;
- A statement detailing the company's need to hire a foreigner rather than a local for the position;
- An official ESA confirmation that the company's needs could not be met by the local labor market.
- The signed employment contract (4 original copies);
- A copy of the foreign employee's passport; and
- A translated and notarized copy of the future employee's most advanced diploma.

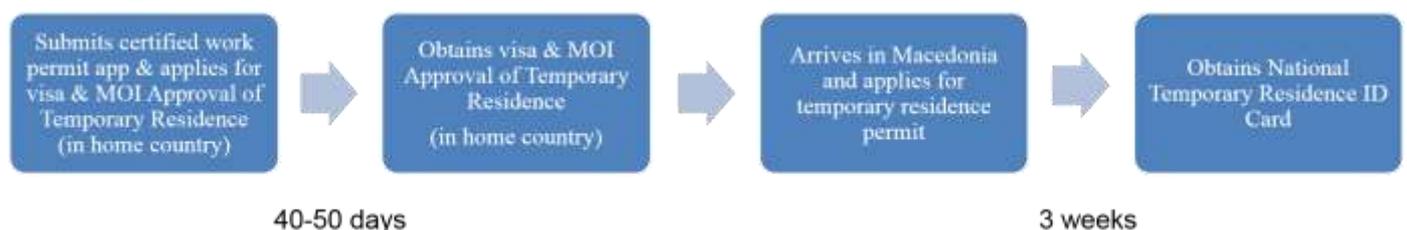
NOTE: All original foreign documents submitted to Macedonian local authorities (including passports) have to be accompanied by a translation performed by a locally certified court translator (i.e., bearing their original stamp and signature).

After receiving an original copy of their certified work permit application, the foreigner should submit it along with their visa and temporary residence permit application at the nearest Macedonian consulate as described in the next section.

3.3 Employee applies for long term visa & Ministry of Interior Approval of Temporary Residence

Visa application fees range between €30-38, depending on the applicant's country of origin. It is important that applicants declare their intention to bring accompanying family members with them to Macedonia at the very beginning of the visa application process, since the validity of their initial work permit must be at least one year.

The following graphic shows the high-level steps the foreign employee takes once they have received the certified work permit from their employer.



Foreigners who will be formally employed by an organization registered in Macedonia must obtain a long-term residence visa (Type D). Despite its misleading name, this visa actually only entitles the holder to stay in country for up to 30 days in a 6 month period (i.e., to complete their temporary residence permit process detailed in [section 3.4](#)).

The documents required to apply for a Type D visa and the Ministry of Interior (MOI) Approval of Temporary Residence⁶ are:

- A visa application form⁷;
- A Temporary Residence Permit Application (Form 2);
- A valid passport;
- An original copy of their certified work permit application RD-2/1 (sent to them by their employer in Macedonia);
- Proof of health insurance (the policy must be an original issued by an insurance company in the applicant's current country of residence);
- One 3,5 x 4,5 cm color photo; and
- Other relevant documentation, upon request (e.g. sufficient subsistence means, travel insurance, employment contract, invitation).

NOTE: All original foreign documents submitted to Macedonian local authorities (including passports) have to be accompanied by a translation performed by a locally certified court translator (i.e., bearing their original stamp and signature).

Processing times for work visas and the MOI Approval of Temporary Residence document vary, however, 40-50 calendar days is typical. Unfortunately, consulates do not consistently notify applicants when their applications are complete, so applicants may need to make several trips to the consulate before obtaining their visa and a MOI Approval of Temporary Residence. With these documents in hand, expats can travel to Macedonia to complete their temporary residence application (i.e., obtain their National Temporary Residence ID Card).

3.4 Employee applies for temporary residence permit after arriving in Macedonia

Within 5 days of arriving in Macedonia on a Type D visa, foreigners must complete the temporary residence permit issuance process by submitting the following documents at the nearest police station⁸:

- An original copy of their certified work permit application RD-2/1;
- The MOI Approval of Temporary Residence (obtained at the consulate abroad);
- A notarized lease/hotel services agreement for the foreigner's local housing needs;
- Proof of health insurance (the policy must be an original issued by an insurance company in the applicant's current country of residence);
- A valid passport;

⁶ Foreigners generally must apply for Type D visas at their nearest consulate. However, according to recent legal changes, certain foreigners who are of "crucial importance" to foreign investments in the country could also apply for the Type D visa and temporary residency permit while already present in the country (e.g., on a U.S. passport or Type C visa). Further, these applicants could grant power of attorney to another person (e.g., an employee) to apply for and process these applications. The applicability of this convenience is delayed because the special law that will specify which foreign employees would be considered "of crucial importance" to investments in the country is not yet enacted.

⁷ Visa application forms are available on the websites of each consulate. A full list of consulates and links to their sites is available at: <http://www.mfa.gov.mk/?q=node/1853>.

⁸ In Skopje, this is the Center Police Station (known as "Beko") located at 7 Dame Gruev street.

- Official certification that the applicant is not under criminal investigation in his/her home country, usually issued by a national police authority;
- Official certification that the applicant has not been convicted of a crime, usually issued by a national court; and
- One 3 cm x 3,5 cm photo of the applicant.

NOTE: All original foreign documents submitted to Macedonian local authorities (including passports) have to be accompanied by a translation performed by a locally certified court translator (i.e., bearing their original stamp and signature).

The Ministry of Interior should issue a National Temporary Residence ID Card within 25 calendar days from the application date.

NOTE: A number of foreigners report lengthy wait times (e.g., 3 months or more) for the issuance of their first National Temporary Residence ID Card (“лична карта” in Macedonian) from MOI after arriving in country despite carefully following MOI application timelines and instructions.

The National Temporary Residence ID Card must be carried at all times, particularly when the foreigner leaves and re-enters Macedonia. It is also the key ID required by virtually every other institution in the country (e.g., banks).

3.5 Notification & documentation requirements

Companies must report each of the following work permit-related milestones to the ESA using forms available at the ESA:

- When the foreigner begins work at the company;
- When the work engagement ends prematurely; and/or
- Upon cancellation of company plans to engage/employ the foreigner for whom a work permit was already issued.

Finally, companies must maintain all work permit-related documentation for inspection by authorities upon their request.

3.6 Renewing work permits & temporary residence permits

Initial work permits are generally issued for 6-12 months, then renewed on an annual basis. Companies must apply to extend foreign employees' work permits at least 60 days prior to their expiration (i.e., just 4 months after initial arrival in country if on a 6 month permit or every 10 months for year-long permits). The ESA is required by law to make a decision on extending work permits within 45 days of application.

Once one's work permit is renewed, expats can apply to renew their National Temporary Residence Identity Card, which is a totally independent process. Maintaining validity of this ID is critical, given that the validity of the Type D visa and a number of other local institutions depend on it. National Temporary Residence ID Card renewal applications must be submitted at least 30 days prior to expiration to avoid gaps in validity.

NOTE: Renewal application deadlines – particularly for work permits – are strictly observed and have caused significant inconvenience to foreigners who have missed them. Expats whose work

permits are not renewed on time have been returned to their country of origin to repeat the entire process over again!

4 Seconding a current foreign employee to work in Macedonia branch

The ESA applies unique rules and regulations to companies with branch offices in Macedonia as opposed to other companies. Namely, branch offices with 1-10 employees may obtain a total of two (2) work permits: one for a foreign representative of the main company and one for a foreign representative working in a Macedonian branch office. These employees may or may not be locally employed (i.e., on the local payroll and subject to local social contributions), but may be paid in another country.

The employer applies for a one year work permit on the foreigner's behalf by submitting the following documents to the ESA:

- Application form RD-3/8;
- Company registration details of the branch office in Macedonia;
- Proof of number of employees in the branch office;
- Company registration details of the foreign company (accompanied by a Macedonian translation);⁹
- The foreigner's employment contract;
- Passport; and
- A notarized lease/hotel services agreement for the foreigner's local housing needs.

NOTE: All original foreign documents submitted to Macedonian local authorities (including passports) have to be accompanied by a translation performed by a locally certified court translator (i.e., bearing their original stamp and signature).

After receiving the certified work permit application, the foreign employee should submit their visa and temporary residence application at the nearest consulate, as described in [section 3.3](#) above.

5 Accompanying family member visas & temporary residence permits

Expats who have work permits with a validity of at least 1 year have the right to bring their immediate family members (spouse, minor and dependent children) using Type D visas according to the same procedures listed in [section 3.3](#) above. In exceptional cases, other dependent family members are also eligible.

NOTE: Macedonia's definition of "immediate family members" does not include unmarried couples. However, where unmarried couples have dependent children, an exception can be made to grant a visa to the unmarried partner, if it is deemed in the child's best interest and the employee has a work contract of at least 1 year in duration.

⁹ In practice, companies have faced difficulties proving the connection between, for example, sister companies with the same name. Many documents – including affidavits from key staff, foreign trade registry reports, etc. – may be required when no direct legal connection exists.

6 Work permits for foreigners engaged on short term service contracts

According to the law, as long as companies register the work in advance with the local Employment Services Agency (ESA), foreign service providers (e.g., consultants) can work in the country up to 60 days at a time without a work permit¹⁰. The ESA generally approves companies' use of this measure for a variety of service contract types, including for services related to the purchase and installation of machines/tools/equipment and/or maintenance of it. To register a short term service contract, the company needs to complete and submit an "SPO" form at the ESA, which includes details on the service contract and visitor details. The average processing time for this form is just 2 hours, after which the ESA will return the approved form with an official signature and stamp.

In emergency situations, companies can also engage foreigners without a work permit for up to 30 days. Emergencies are defined as an immediate need for foreigners to determine or prevent economic damage or other consequences arising from natural disasters or accidents or to perform rescue operations or measures necessary to prevent public health threats or in emergency diagnostics or aircraft inspections. The organization engaging the expat must register their work within 3 days of their arrival in country at the ESA office where they are headquartered.

For expat consultants who will work up to 90 days and are not eligible for an ESA waiver, there are "work permits for non-employees." Such permits can only be renewed under certain conditions and not while the foreigner is in Macedonia.

To apply for a short-term "work permit for a non-employee", companies must submit the following documentation to the ESA:

- Application form RD 3/9;
- Macedonian company registration report from the Central Trade Registry;
- Signed company engagement contract;
- Passport; and
- Proof of qualifications that are not provided by the domestic labor market (e.g., diplomas, certificates)

After receiving the certified work permit application, the foreigner should submit their visa and temporary residence application at the nearest consulate, as described in [section 3.3](#) above.

7 Short term residence visas (Type "C")

Visitors from many countries who plan to hold business meetings, make contacts, negotiate service contracts or similar activities can do so on a short term residence visa as long as no income is generated from these activities. Short term visa holders may stay in the country up to 15 days at a time and no more than 90 days within a single 6 month period.

¹⁰ See Article 29 of the Law on Employment of Foreigners.

To apply for a short term residence visa, applicants must submit a visa application form¹¹ and the following supporting documents to their nearest Macedonian consulate:

- Valid and recognized passport¹²;
- Proof of individual or group travel insurance (the policy must be an original issued by an insurance company in the applicant's current country of residence);
- An invitation from a Macedonian individual or organization or other form of guarantee letter, certified by a notary;
- Proof for possession of funds sufficient to cover the person's stay in the Republic of Macedonia (e.g., recent bank statements); and
- 3.5 x 4.5 cm color photo of the applicant with a white background.

NOTES: Type C visa holders must report their arrival within 48 hours at the local police station each time they enter the country. This can be a tedious task for those staying only a day or two. However, when staying in a hotel, visitors avoid this inconvenience because hotels register the arrival and departure of their foreign guests.

The Government of the Republic of Macedonia can approve stays in Macedonia of up to 15 days for foreigners who possess a multiple Schengen "C" Visa or who are legal permanent/temporary residents of an EU member state and/or signatory to the Schengen Area¹³.

8 Personal work permits

In addition to traditional work permits granted to employees of local legal entities, Macedonia also issues personal work permits. These permits are issued for a fixed period (e.g., 1 -3 years) or for an indefinite time period upon request of the foreign national who intends to carry out business activities in Macedonia (e.g., entrepreneurs). During its validity, personal work permit holders may work anywhere on the local labor market, the same as Macedonian citizens. These permits can be extended if the holder proves s/he has worked as planned during the validity period of the previous work permit.¹⁴

- A visa application;
- Work permit Application form RD 1/3;
- Temporary residence permit Application (Form 2);
- Macedonian company registration details issued by the Central Registry;
- Business plan;

¹¹ Visa application forms are available on the websites of each consulate. A full list of consulates and links to their sites is available at: <http://www.mfa.gov.mk/?q=node/1853>.

¹² Before applying for any visa, ensure that your passport is valid for the entire duration of the visa for which you intend to apply (at least 3 months from the date of your application).

¹³ This legal change was adopted in October 2013.

¹⁴ This process involves obtaining a confirmation from the Ministry of Economy that his/her work has been in line with their business plan. A full list of all necessary documents required to obtain such an opinion is available at: http://www.economy.gov.mk/ministerstvo/sektori_vo_ministerstvo/sektor_za_industriska_politika/3405.html

- Proof of health insurance (the policy must be an original issued by an insurance company in the applicant's current country of residence and translated copy by a Macedonian court translator);
- A valid passport;
- Official certification that the applicant is not under criminal investigation in his/her home country, usually issued by a national police authority;
- Official certification that the applicant is not convicted of a crime, usually issued by a national court; and
- One 3,5 x 4,5 cm photo.

The ESA issues a work permit certificate to the foreigner, which they must maintain in their files throughout their stay in the country. If, for some reason, the foreigner decides to prematurely stop working as defined under the terms of their work permit, s/he must return the work permit certificate to the ESA.