

In this brochure, you will find basic information on how to execute the application for a residence in the Czech Republic, how to communicate with the administrative authority and how to obtain the correct information.

BASIC TERMS

Administrative authority/decision-making body/the Ministry of the Interior of the Czech Republic – the authority, which makes decision on your application (hereinafter also as “MOI CR”).

Administrative proceedings – the procedure of the authority aimed to make a decision on your application.

Power of Attorney – the authorization of another person to act on your behalf before the authority (e.g. to execute the residence permit, to file a request, additions etc...).

Principal – A person, who appoints another person to act on his or her behalf before the authority.

Agent – A person, who is authorized to act on your behalf.

Legalization – A higher official certification of a public document, which verifies the authentication of signatures, administrative stamps and seals on such public document. Legalization is necessary in case your country is not a contracting party to the Hague Convention, which states that the “Apostille” is sufficient.

Apostille – A written certificate affixed to the verified document, which verifies the authenticity and validity of the document for the purpose of its use abroad.

Errors in the application – The insufficiencies in provided annexes, which have to be eliminated.

Suspension of the proceedings – The time period of the authority to make a decision which is pending; after the removal of the insufficiencies (or after the determination of the evidence by the authority) the proceedings shall continue again.

Resolution on termination of the proceedings – The insufficiencies of the application have not been removed, due to the lack of sufficient documentation on a timely manner or the late filing of the application – the proceedings are procedurally terminated.

Decision on denial of the application – The denial of the administrative authority to grant the residence permit in the territory of the Czech Republic due to the failure of fulfilling all the legally stated conditions.

Legal force – The decision/resolution which is legally binding and unalterable.

Suspensive effect of the appeal – In case of filing an appeal in the legally specified time period, the decision shall not become legally effective (it is possible to alter it).

Bridging visa – The temporary visa granted after the expiration of the residence permit, in case you reapplied in a legally time period and the application was not decided (i.e. max. 90 days and min. 14 days before the expiration of the validity of the residence permit). The validity of the bridging visa is linked directly to the validity of your previous residence status.

Act on the residence of foreign nationals – The main legal regulation, which regulates the residence of foreigners in the territory of the Czech Republic. Full wording: <http://www.mvcr.cz/mvcren/article/immigration.aspx>

WHO IS ELIGIBLE TO APPLY FOR THE RESIDENCE PERMIT

An application may be filed only by a foreigner, who is older than 15 years and has the capacity to perform legal acts.

Statutory representative shall act on behalf of minors under the age of 15 (parent or guardian). Minors, older than 15 years, shall apply in person!

PERSONAL PRESENCE IN THE PROCEEDINGS

YOU HAVE TO BE PRESENT IN PERSON in the following cases!

- When you submit the application for a long-term and permanent residence.
- When you provide the biometric data (facial image and fingerprints).
- When you collect the biometric card (parents may collect the card for children under the age of 6).

REPRESENTATION IN THE PROCEEDINGS

Can another person act on behalf of me?

- YES.

You can be represented in the following cases:

- extending the validity of the long-term residence permit;
- supplementing the missing sections of the applications (so-called “ADDITIONS”);
- accessing the file of the proceedings, making a copy or transcript;
- requesting the information on the status of the proceedings;
- filing an appeal;
- receiving the confirmation of the residence.

WHO CAN REPRESENT ME?

You may be represented by any natural person over 18 years old, who has the capacity to perform legal acts, or by a legal person respectively. (It is not required to be represented by an advocate.)

It is necessary to grant the agent the POWER OF ATTORNEY.

POWER OF ATTORNEY

- Limited Power of Attorney to perform the respective legal acts

The Power of Attorney is granted for the agent to perform specific legal acts only; it is not necessary to authorize the signature of the principal (person, who appoints a representative) by the notary office.

E.g.:

- Power of Attorney to submit a request
- Power of Attorney to submit additions
- Power of Attorney to access the file of the proceedings, make a copy or transcript
- Power of Attorney to file an appeal

The Power of Attorney expires, when the respective act is completed.

We recommend you to use this type of Power of Attorney!

- Power of Attorney for the entire proceedings

Such Power of Attorney is granted for the agent to perform all acts during the entire proceedings regarding the decision on the residence permit. We recommend therefore specifying the time limit for the expiration!

In case of the grant of such type of Power of Attorney, the administrative authority shall deliver any documents to the agent.

The validity of such Power of Attorney may be terminated, either by a mutual consent of the agent or **unilaterally** without his or her consent. Deliver the revocation of the Power of Attorney not only to the MOI CR, but also to the agent!

Unless the agent is not acknowledged with the revocation of the Power of Attorney, his or her legal acts shall have the same binding effects as when the Power of Attorney is still valid.

COMMUNICATION WITH THE AUTHORITY

RULES

- Only written information or documents are valid.

The Information is not valid when it is provided by the administrative authority either orally or by telephone!

- Czech language is the official procedural language in the administrative proceedings.

Any provided documents shall be submitted in the Czech language or officially translated into Czech. Moreover, any public documents originated abroad shall be affixed with the official certification (i.e. Legalization or Apostille).

E.g. A Birth certificate originated abroad shall be translated by sworn translator into Czech. Thus, translated document shall be accompanied with the seal of the sworn translator.

If your country is not a party to The Hague Convention abolishing the requirement of the legalization for foreign public documents, the birth certificate shall be verified by your embassy or Ministry of Foreign Affairs primarily (Legalization).

- Always state the procedural number of your proceedings.

The specified number is issued by the administrative authority for your case. It is the main identification data for your application. By stating it,

you may prevent errors in the proceedings. Usually, the number is stated in the following form: **OAM-12345-1/DP-2012**. If you do not know what your case number is, you may request to issue the confirmation letter of your application – the number is stated there.

- During the proceedings, you always have the right to act actively in your case, until the decision is made.

– You may always move for additional evidence and supplement other documents to your file/documentation.

– You have the right to access your file and view it.

– If you receive a written notice to access your file before the decision takes place, your application shall not be approved in full; thus, you have the opportunity to comment on the decision documentation.

- Always provide a valid address, an e-mail address and a telephone number for the purpose of communicating with the Office.

The MOI CR communicates with you via written correspondence, telephone and e-mail. Always state your current correspondent address, telephone and e-mail, and make sure that your mailbox is labeled with your name and names of your children.

- You may send documents via mail

Documents, which are requested by the administrative authority to supplement your application (e.g. on basis of written notice), may be mailed by a postal service as well. Always send the documents by registered mail – in Czech “DOPORUČENÉ” and keep the mailing receipt as a proof of sending the document. You may also use the service of “DODEJKA” – you shall be notified then in written, confirming, that the mail has been handed over to the addressee.

- Ask for a confirmation letter in case of submitting documents in person

In case you deliver the application to the Office of the MOI CR, ask the administrative authority to issue a **confirmation letter** of your application and keep it safe. You are also entitled to make a written list of all the documents submitted with the application, which shall be confirmed by the seal of the MOI CR.

CORRESPONDENCE BY THE MOI CR

The MOI CR shall send its official documents through the Czech Post.

- Official documents
 - An envelope marked with a blue stripe
 - An envelope marked with a red stripe

The envelope marked with a blue stripe indicates “SECURED PERSONAL DELIVERY”. If the addressee is a natural person, the mail shall be handed over solely to the addressee, agent of the addressee, statutory representative or the agent of the statutory representative; if the addressee is a legal person, it can be handed only to the legally entitled person. If the delivery has failed, the letter will be returned back to the MOI CR.

The signature of the principal in the Power of Attorney assigned to pick up the mail at the postal office MUST BE officially authorized.

The envelope marked with a red stripe indicates “SECURED PERSONAL DELIVERY ONLY TO THE ADDRESSEE”. If such delivery has failed, the mail shall be returned back to the MOI CR.

It is not possible to grant Power of Attorney to anyone in order to pick up this specified type of delivery.

In case the General Power of Attorney for the entire proceedings has been granted, the letter shall be delivered directly to the agent.

- The mailman did not reach you

If a mailman does not reach you at home, he or she will leave a so-called “Notice” in your mailbox in order to pick up the mail with the instructions, where to pick it up (with the respective address of the Czech Post) and the deadline by when to do so. To pick up the mail, it is necessary to provide a passport or the residence card with the biometric data. If you do not pick up your mail within 10 days, The Czech Post will return the mail to the MOI CR.

After the expiration of the statutory period, the letter is considered as delivered. The administrative authority can decide on your case even without you.

If you travel abroad for a longer period of time, we recommend informing the MOI CR about your contact address outside of the territory of the Czech Republic; where any letters shall be delivered.

- Unknown Addressee

If the postal service cannot deliver the letter, because your mailbox is not labeled with your name and surname, or you did not state your current contact address, the letter shall be delivered in an alternative form – a public notice.

- Public notice

A notification of the administrative authority for the possibility to pick up the letter will be published on the official board of each Office for the Residence of foreigners of the MOI CR and also on the website of the MOI CR (www.mvcr.cz).

On the 15th day after the notice has been published on the official board, the letter is considered delivered.

ADMINISTRATIVE FEES

Any administrative fees of the MOI CR shall be paid in a specific value by means of **revenue stamps**, which can be purchased at every postal office.

SUBMITTING THE APPLICATION FOR THE RESIDENCE PERMIT

The application for a residence permit shall be submitted by foreign national in person. This means, the foreign national must personally attend the Office of the MOI CR.

If you have sent the application via postal service, **you must present yourself within 5 days** at the Office of the MOI CR. In case you have failed to attend personally, the application will be returned to you and the administrative proceedings shall not be initiated.

Your presence is ALWAYS necessary, when:

- An application for a long-term and permanent residence permit is submitted.
- The administrative authority collects the biometric data.
- You pick up the residence card with the biometric data.

In other cases you are entitled to deliver the documents via postal service, by your agent (on basis of Power of Attorney) or by the statutory representative.

Submitting a complete application with all the required attachments will accelerate the administrative proceedings.

By all means, submit the application on time even though it may not be complete (it may lack some documents). You can always submit the additional documents later.

IMPORTANT TIME PERIODS

- Time period for submitting the application

Submit the application within a maximum of 90 days and at least 14 days before the validity of your current residence permit expires.

- Failing to meet the period criteria

In case, a serious reason has prevented you to meet the deadline independently of your will, you shall submit the application within 3 days after the impediment has ceased.

At the same time, you shall write a request to pardon the failure to meet the period criteria and state the objective reasons of failing to do so (e.g. incapacity to work).

It is not possible to consider a nescience or law ignorance of you or your agent as a serious reason!

TIME PERIOD TO DECIDE ON YOUR APPLICATION

Crucial time periods regarding the applications submitted to the MOI CR:

60 days – The period to decide on granting the long-term residence permit for the purpose of conducting business, employment, studies or permanent residence permit.

270 days – The period to decide on the granting the long-term residence permit for the purpose of family reunification in the territory.

60 days – The period to decide on the granting the permit for temporary residence permit of a family member of an EU citizen and the period to decide on the granting the permit for permanent residence permit of a family member of an EU citizen.

30 days – The period to decide on the extension of the long-term residence permit for the same purpose and the period to decide on the issuance of the certificate of the temporary residence of an EU citizen.

The periods start from the date of the submission of the application in the territory of the Czech Republic.

Detailed information on the time periods for issuing the decision can be found on the website of the MOI CR:

<http://www.mvcr.cz/mvcren/article/third-country-nationals-course-of-the-proceedings-time-periods-and-computations-of-time.aspx>

COMPUTATION OF TIME

The delivery date of documents has a crucial effect on the running of time periods. The period begins to count from the day following the delivery date. Thus, on the last day of the period, you have to submit the documents to the administrative authority either in person or send it via postal service. Once the document is handed over to deliver in the post office on the last day of the period, the period criteria are met.

COURSE OF THE ADMINISTRATIVE PROCEEDINGS

NOTICE FOR THE REMOVAL OF ERRORS

If your application has not met all the requirements, MOI CR will call you to supplement any missing documents and set a reasonable period to do so. At the same time, it shall issue a resolution suspending the administrative proceeding. After the expiration of the period to supplement the documents, the proceedings continue.

In case, you are not able to obtain the missing documents, you are entitled to submit a reasoned request in written form to extend the period.

NOTICE TO ACKNOWLEDGE WITH THE GROUNDS BEFORE ISSUING THE DECISION

The MOI CR may call you to view the file and your documentation before the decision is made. The MOI CR will send the notice mentioned, when the application is not completely correct.

ACCESSING (VIEWING) THE FILE

During the proceedings, you are entitled to access the file, which contains all the documentation regarding your case; make transcripts and copies of it. For this purpose, you may request to view the file; in the request you should not forget to include your telephone number, where the MOI CR may contact you, when the file will be available for you to have access to it. After viewing it, you must sign **the protocol on accessing the file**.

You can take pictures of any documents with your camera.

SUMMONS

During the proceedings you can be summoned to the MOI CR, e.g. for a hearing. In case you have failed to appear in the hearing, it may result in punishing you with a disciplinary fine, or you may be brought by the police.

If the set date is not convenient, call and ask to reschedule it.

DECISION ON THE APPLICATION

THE APPLICATION HAS BEEN APPROVED

- **The MOI CR will contact you by telephone.** You will be informed that your application has been approved and noticed to appear obligatory in the respective Office in order to provide the biometric data and signature.
- The MOI CR will send you the **Notification on the decision**, in which it informs you about the outcome of the proceedings. The time period to pick up the permit and to come personally to provide the biometric data is 30 days starting from the date, the Notification has been delivered.

On the website of the MOI CR, in the section “Information about the status of the proceedings”, you may check continuously, whether your application has been approved: <http://www.mvcr.cz/clanek/informace-o-stavu-rizeni.aspx>

- **Collecting the permit**

To collect the permit, you must always attend the Office in person and bring your travelling document/identification card. The time period for collecting the permit is within 30 days after the delivery date of the notice to pick up the residence permit. If you do not collect the permit in the set time period, the proceedings will be terminated.

After providing and collecting the biometric data, the biometric identification card will be issued.

- **The date to collect the biometric identification card**

- Once your identification card is ready to be picked up, the MOI CR may call and inform you about the date on which you should pick it up. It is only possible to pick it up IN PERSON.
- You may arrange an appointment yourself by telephone.
- The MOI CR may send you a letter marked with a blue stripe which contains the Notice to pick up the biometric identification card; it will also contain the specific date to do so.

! You are obliged to personally attend the respective Office of the MOI CR within 60 days after the biometric data has been collected in order to pick up the biometric identification card.

Note: The permanent residence and health insurance – the MOI CR will register you automatically into the general registry of public health-insured individuals. The date, when the decision on granting the permanent residence permit comes into force, the Act on public health insurance starts to apply to you, as well as its obligations and rights arising from it.

THE APPLICATION HAS NOT BEEN APPROVED

- **Resolution on termination of the proceedings**

The MOI CR does not give a decision on your application; the insufficiencies of the application have not been removed, due to the lack of sufficient documentation on a timely manner or the late filing of the application.

- **Decision on denial of the application**

The MOI CR denied to grant the residence permit in the territory of the Czech Republic due to the failure of fulfilling all the legally stated conditions.

- **Appeal**

You are entitled to file an appeal against the negative outcome **within 15 days after the decision/resolution has been delivered**, to the Commission for decision-making in matters of residence of foreigners via the MOI CR. After the filing the appeal, you may apply for the bridging visa.

THE MOI CR HAS NOT MADE A DECISION IN STATUTORY TIME PERIOD

- **Request for the acceleration of proceedings**

Apply for the acceleration of the proceedings and send it to the respective body. State the procedural number within the request.

- **Petition against the inactivity of the administrative authority**

In case the proceedings have not been accelerated, file the petition against the inactivity of the administrative authority to the superior body.

If the MOI CR does not make a decision on the matter within the statutory time period, the superior administrative body will execute measures against inactivity by its virtue as soon as the superior administrative authority finds out.

Submit the petition against inactivity of the administrative authority in written to the Commission for decision-making in matters of residence of foreigners, which is obliged to decide within the time period of 30 days.

Contact information:

Komise pro rozhodování ve věcech pobytu cizinců

Nám. Hrdinů 1634/3
Poštovní schránka 155/S0
140 21 Praha 4
ID of Data box: b78xtfa

- **Action against the inactivity of the administrative authority**

You may file an action, in which you should demand the court to order the administrative authority to issue a decision.

The time limit to file the action expires after 1 year from the date the administrative authority has been obliged to issue a decision on the application.

RECOMMENDATIONS

- Do not hesitate to ask the employees of the MOI CR repeatedly, whether you have understood correctly.
- In case, you are not confident with your communication skills in the Czech language, bring an interpreter with you. Hence, you may prevent mistakes and misunderstandings.
- Sociocultural mediators work at particular Offices of the MOI CR, who can provide you with interpreting into English, Russian, Arabic, Mongolian, Vietnamese, at no cost.
- Use the service of non-governmental organisations, which offer professional legal and social advisory services, at no cost.
- Do not be afraid to solve your problems by yourself! We will help you!
- Do not hesitate to ask about the administrative fee for the approval of your application.
- You should only sign over the power of attorney to someone you trust implicitly.
- Grant the Power of Attorney only to perform a specific act – not for the entire proceedings.
- Always keep the copy of the Power of Attorney safe.
- Always save the contact information of the representative, name and surname, address, telephone and e-mail address, in particular.

WHAT TO AVOID!

- Do not ever pay the amount in full for representing you before the decision on your application is made.
- Do not ever give your passport to the person representing you.
- Do not ever grant the Power of Attorney to anybody, you do not know.
- Do not ever postpone resolving the problems regarding the residence status.

There are plenty of non-governmental organisations in the Czech Republic that will assist you professionally and help you to properly advance in your proceedings at no cost! Do not hesitate to contact them!

Information service of the MOI CR: pobyty@mvcr.cz, <http://imigracniportal.cz>

Assistance Services at the MOI CR offices in Prague

At the MOI CR offices at Koněvova st., Cigánkova st. and the Bohdalec area in Prague, we offer:

- interpreting into **Mongolian, Arabic, Vietnamese, Russian, French and English**
- basic counselling concerning residency status
- assistance in filling in application forms

MOI CR Office Koněvova 188/32, Praha 3 – Žižkov

Where to find us: on 1st floor, Third-country nationals section

Monday	Tuesday	Wednesday	Thursday
9.00 – 17.00	9.00 – 15.00	9.00 – 14.00	9.00 – 13.00

MOI CR Office Cigánkova 1861/2, Praha 4 – Chodov

Where to find us: on the ground floor, Third-country nationals section

Monday	Tuesday	Wednesday	Thursday
9.00 – 14.00	9.00 – 14.00	9.00 – 15.00	9.00 – 13.00

MOI CR Office Nad Vršovskou horou 88/4, Praha 10 – Bohdalec

Where to find us: on 1st floor, Third-country nationals section


Monday	Tuesday	Wednesday	Thursday
9.00 – 14.00	–	9.00 – 13.00	9.00 – 13.00

The sociocultural mediators can also accompany You when dealing with authorities (not always available).

SOCIOCULTURAL MEDIATION CONTACT INFORMATION

	732 547 886 rus@inbaze.cz		732 549 586 arab@inbaze.cz
	608 528 806 608 817 531 viet@inbaze.cz		775 283 481 mon@inbaze.cz
			773 898 680 fr@inbaze.cz

Non-governmental Non-profit Organisations providing counseling for foreigners FREE OF CHARGE		PRAGUE + CENTRAL BOHEMIA
InBáze, o. s. Legerova 50, 120 00 Praha 2 tel.: 224 941 415, 739 037 353 732 547 886 (rus), 608 528 806 (viet) e-mail: info@inbaze.cz web: http://inbaze.cz/	Integrační centrum Praha o. p. s. (ICP) Žitná 1574/51, 110 00 Praha 1 tel.: 252 543 846, 774 736 610 e-mail: info@icpraha.com web: http://icpraha.com/	
Poradna pro integraci (PPI) Senovážná 2, 110 00 Praha 1 tel.: 224 216 758, 224 233 034 e-mail: paha@p-p-i.cz web: http://p-p-i.cz/	Mezinárodní organizace pro migraci (IOM) Čechova 23, 170 00 Praha 7 tel.: 233 370 160 e-mail: prague@iom.int web: http://www.iom.cz/	
Sdružení pro integraci a migraci (SIMI) Senovážná 2, 110 00 Praha 1 tel.: 224 224 379 603 547 450, 605 253 994 e-mail: poradna@refug.cz web: http://www.migrace.com/	Klub Hanoi Libušská 319, 142 00 Praha 4 tel.: 603 583 690, 608 338 257 e-mail: klubhanoi@klubhanoi.cz web: http://klubhanoi.cz/	
Diakonie Českobratrské církve evangelické (DČCE) Belgická 22, 120 00 Praha 2 tel.: 242 487 812 e-mail: ustredi@diakoniecce.cz web: http://www.diakonie.cz/	Info-dráček Libušská 319, 142 00 Praha 4 tel.: 776 457 265, 776 082 929 e-mail: info@info-dracek.cz web: http://info-dracek.cz/	
Organizace pro pomoc uprchlíkům (OPU) Kovářská 939/4, 190 00 Praha 9 tel.: 284 683 714, 284 683 545 e-mail: opu@opu.cz web: http://www.opu.cz/	La Strada Česká republika P. O. Box 305, 111 21 Praha 1 SOS a infolinka: 222 71 71 71, 800 07 77 77 (bezplatné volání) e-mail: pomoc@strada.cz web: http://www.strada.cz	
Centrum pro integraci cizinců (CIC) Kubelíkova 55, 130 00 Praha 3 tel.: 222 360 452, 222 360 834 e-mail: info@cicpraha.org web: http://www.cicpraha.org/	META – Sdružení pro příležitosti mladých migrantů Ječná 17, 120 00 Praha 2 tel.: 222 521 446, 775 339 003 e-mail: info@meta-os.cz web: http://meta-os.cz	
Poradna pro migranty a uprchlíky (Arcidiézní charita Praha) Pernerova 20, 186 00 Praha 8 tel.: 224 813 418 e-mail: uprchlici@charita-adopce.cz web: http://praha.charita.cz/	Poradna pro občanství, občanská a lidská práva (PPO) Ječná 7, 120 00 Praha 2 tel.: 270 003 281, 270 003 280 e-mail: poradna@poradna-prava.cz web: http://www.poradna-prava.cz	



INBÁZE
KOMUNITNÍ CENTRUM PRO MIGRANTY A ČESKOU VEŘEJNOST


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GSM: +420 739 578 343
E-mail: info@inbaze.cz
www.inbaze.cz

Contact us – We will be happy to assist you professionally, free of charge!

How to properly apply for a residence permit in the Czech Republic?

or

What is the procedure at the Ministry of the Interior of the Czech Republic – Office for the Residence of foreigners



MINISTERSTVO VNITRA
ČESKÉ REPUBLIKY

BASIC INFORMATION
InBáze 2012

Project of Assistance services by Inbáze at the Office for the Residence of foreigners in Prague I. It is funded by the Department for Asylum and Migration Policy of the Ministry of the Interior of the Czech Republic within the grant programme on behalf of foreigners integration