

Overview of amendments to the migration registration procedure

(as of 20th March 2019)



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The RF Government adopted Enactment No. 246 dated 7 March 2019, introducing important changes to the current "Procedure of migration registration of foreign nationals and stateless persons in the Russian Federation" (approved by the RF Government Enactment No. 9 dated 15 January 2007, hereinafter – "**Migration Registration Procedure**").

Major portion of amendments introduced to the Migration Registration Procedure is related to recent amendments to Federal Law "On migration registration of foreign nationals and stateless persons in the Russian Federation" No. 109-FZ dated 18 July 2006 (hereinafter – "**Migration Registration Law**"), introduced in 2018.¹

The new edition of Migration Registration Procedure is valid and shall apply from 20 March 2019.

The summary of changes to the Migration Registration Procedure is provided below.

1. Disclosing information confirming the right of the host party to use premises provided for residence of a foreign national

One of the most important changes to the Migration Registration Law was registration of foreign nationals at the address of their actual residence (with certain exceptions).

Under the new version of Migration Registration Procedure "notification on arrival of a foreign national" (hereinafter – "**Arrival Notification**") shall include information on the "*title and requisites of the document confirming the right to use premises provided for actual residence of a foreign national*".

In addition, the host party shall attach a copy of such document to Arrival Notification. Host parties – owners of the premises are allowed not to provide such copy, if information included in this document "*is within disposal of authorities providing state or municipal services, other authorities and bodies of local self-government or lower organizations involved in provision of state or municipal services*".

It should be reminded that a foreign national can still be registered at the employer's address if such foreign national "*actually resides at the employer's address or in the premises (building) of the employer without address data, including in temporary ones*".² In this case the host party is released from the obligation to provide a copy of document confirming the right to use premises provided for actual residence of a foreign national. However, the following additional documents shall be attached to Arrival Notification:

1. Copy of the employment or civil-law contract between the company and foreign national;

¹ A detailed review of the changes introduced to Migration Registration Law is provided [in our alert of 3 September 2018](#).

² Clause 2 Article 21 of Migration Registration Law.

2. Letter of the chief executive officer or another authorized official of the company to the migration authority on actual residence of a foreign national in the premises of the company without address data, including temporary ones.

The current form of Arrival Notification (approved by the Order of the RF Ministry of Internal Affairs No. 881 dated 23 November 2017) does not include a separate field with information on "*title and requisites of the document confirming the right to use premises provided for actual residence of a foreign national*". In this regard, we expect the form of Arrival Notification will be updated.

2. Update of the procedure of deregistration of a foreign national based on a "notification on departure" submitted by a host party

Migration Registration Procedure is updated with regulations on deregistration of foreign nationals based on "notification on departure" submitted by a host party. Mostly, these amendments are of technical nature and unify provisions of Migration Registration Procedure with the current edition of Migration Registration Law.

At the same time, Migration Registration Procedure is supplemented with a special regulation for host parties – employers, utilizing rotational method of work for foreign nationals. For such foreign nationals, employer shall submit "notification on departure" from the place of stay within 7 business days from the departure date.

3. Other amendments of Migration Registration Procedure

Some other amendments of Migration Registration Procedure include:

- The procedure specifies that copies of passport pages "*including information on the foreign national and/or information on crossing the state border of the Russian Federation or a foreign state*" shall be attached to Arrival Notification. Therefore, new version of Migration Registration Procedure does not require submission of other passport pages to Arrival Notification.
- The procedure establishes specific rules for migration registration of citizens of states – members of Eurasian Economic Union³ and their family members.
- The procedure establishes specific rules for migration registration of infants-foreign nationals under 1 year of age.

Please pay attention that amendments discussed above are effective from 20 March 2019. Therefore, at this point migration registration of foreign nationals shall be completed under the new rules.

During the transition period there may be practical difficulties with completing the registration formalities, including due to the lack of updated form of Arrival Notification.

In this regard we recommend to pay special attention to the migration registration procedure. If a foreign national has a status of "highly-qualified specialist", the host party may prefer to utilize the extended deadlines for his/her registration⁴ and wait until local migration authorities adapt their practice to the new procedure.

³ Armenia, Belorussia, Kazakhstan and Kyrgyzstan.

⁴ Part 4.1 Article 20 of Migration Registration Law. The extended deadlines are 90 calendar plus 7 business days for initial migration registration and 30 calendar plus 7 business days for migration registration due to change of the place of stay.

We hope you find information provided in this alert useful. Please do not hesitate to contact us should you have any questions.

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