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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 and visa 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 and the Ministry of Interior, respectively.

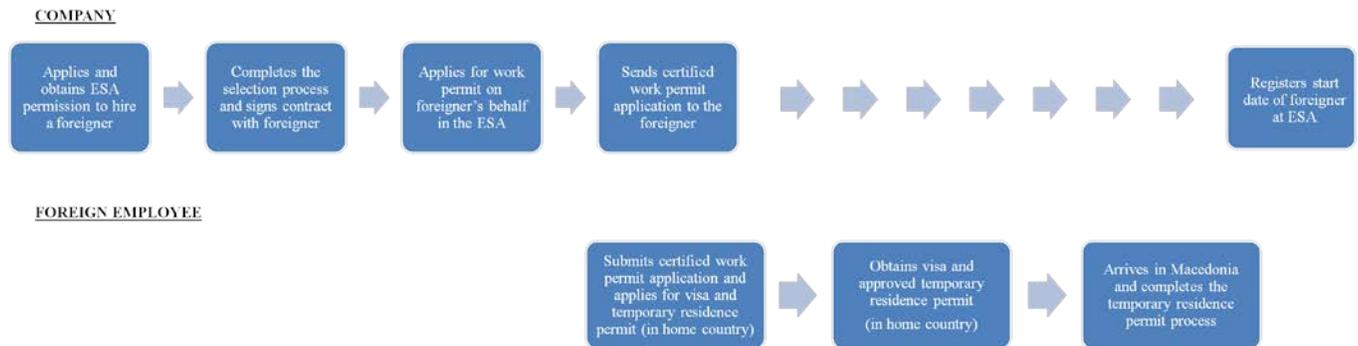
To find the embassy or consulate nearest you, visit <http://www.mfa.gov.mk/?q=node/1853>. Please note that applicants must submit their visa, temporary residence and work permit application forms and supporting documents in person. When the applicant lives a considerable distance from the nearest Macedonian 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 from these activities. A full list of visa requirements by country is available at: <http://www.mfa.gov.mk/?q=node/308&language=en-gb>.

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 Getting the process started

Much of the process of hiring a foreigner must be led by company representatives present in Macedonia. This means, among other things, that without first receiving an original copy of their certified work permit application, the employee cannot apply for their visa nor temporary residence permit in their home country. 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.



3.1 Employer seeks permission to hire a foreigner

Employers in Macedonia that intend to hire a new employee who is foreign 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 Registry;
- 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.⁴ Upon receiving formal confirmation from the ESA, the company should

² Companies who are simply assigning an existing employee to a position in Macedonia do not need to go through this first step.

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

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

Work permits are free of charge and Macedonia's Employment Services Agency (ESA) is required to issue them within 45 days of application. Traditional work permits are generally issued first for 6 months (with the possibility to extend up to 1 year), then on an annual basis.

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;
- A statement detailing the company's justification for hiring foreigner (as opposed to hiring from the local labor market);
- Financial report of the Macedonian company issued by the Central Registry;
- Signed employment contract (4 original copies);
- Copy of the foreign employee's passport;
- Translated and notarized copy of the future employee's highest received diploma
- Official ESA confirmation that the domestic labor market couldn't meet the company's 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 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 [section 4.1](#).

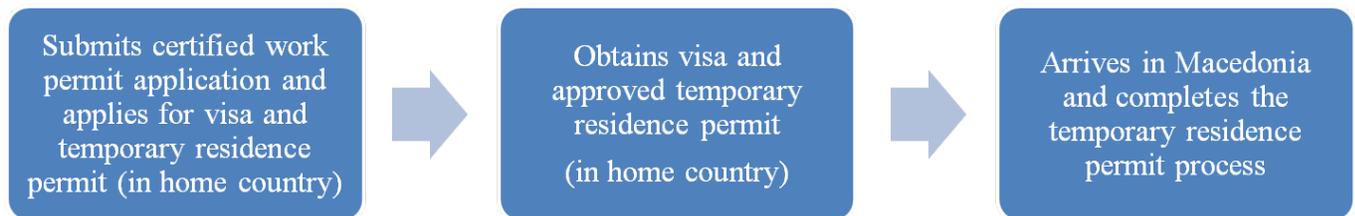
⁴ If ESA finds that the company's need could be met by the local labor market, the employer would be denied the right to hire a foreigner. To AmCham's knowledge this has not occurred with any of its member companies.

4 Employee applications for long term visas, residency permits and work permits

Unofficially, visa application fees range between €30-38, depending on whether the applicant is a citizen of a country that requires visas of Macedonian citizens.

4.1 Long term visa and temporary residence permit applications

Aside from providing various documents to their employer in Macedonia, employees don't take an active role in the visa, temporary residence and work permit application process until receiving several key original documents from their employer (listed below). The following graphic shows the high-level steps the foreign employee takes at that point.



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. To cover their long term stay, Type D visa holders must additionally complete Form 2, “Application for Issue/Extension of Temporary Residence Permit”⁵ to begin the temporary residence permit process.

The documents required to apply for a Type D visa and temporary residence permit⁶ 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);

⁵ This form is 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>.

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>.

- 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, document from the foreign company headquarters assigning the employee to a position in Macedonia).

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).

Applicants must receive their visa and a Ministry of Interior Approval of Temporary Residence, before traveling to Macedonia. The next section 4.2 details additional key documents that will be required upon their arrival.

4.2 Finalizing the temporary residence process 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 begun at the Macedonian consulate by submitting the following documents at the nearest police station⁸:

- An original copy of their certified work permit application RD-2/1;
- The Ministry of Interior's Approval of Temporary Residence (obtained at the consulate abroad);
- Proof that the foreigner has secured lodging or means for lodging⁹;
- 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);
- 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 cm x 3,5 cm photo of the applicant.

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

⁹ If the foreigner is not staying in a hotel, s/he must present a notarized copy of their rental agreement. Alternatively, the foreigner's local landlord must appear in person to meet this requirement. Local police could additionally require proof of sufficient funds for the person's stay.

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 Identity Card within 25 days from the application date. It is important to note that one's National Temporary Residence Identity Card must be carried at all times, particularly when the foreigner leaves and re-enters Macedonia.

5 Finalizing the work permit and commencing work

Companies must report each of the following work permit-related milestones to the ESA:

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

The forms for reporting these milestones are available at the ESA.

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

6 Work permit and temporary residence permit renewals

Traditional work permits are generally issued first for 6 months (with the possibility to extend up to 1 year), then on an annual basis. Companies must apply on behalf of foreign employees in order to extend work permits while they are still in country at least 60 days prior to their expiration. The ESA is required by law to extend them within 45 days of application. However, if this deadline is missed, the foreigner will be required to return to their home country and repeat the work permit application process all over again.

Also, timely renewal of one's National Temporary Residence Identity Card is critical, given that the validity of the Type D visa (beyond 30 days in a 6 month period) depends on its validity. Applications for renewals of National Temporary Residence Identity Cards must be submitted at least 30 days prior to their expiration. These deadlines are strictly observed and have caused significant inconvenience to foreigners who have missed them.

7 Other relevant visa information

7.1 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 3 months (90 days) within a single 6 month period.

To apply for a short term residence visa, applicants must submit a visa application form¹⁰ and the following supporting documents to their nearest Macedonian consulate:

- Valid and recognized passport¹¹;
- 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 natural or legal entity 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.

NOTE: 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 are authorized and responsible to register the arrival and departure of their foreign guests.

7.2 Visas and temporary residence permits for accompanying family members

Immediate family members (spouse, minor and dependent children) have the right to apply for Type D visas according to the same procedures listed in [section 4.1](#) 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.

¹⁰ 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>.

¹¹ 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).

8 Other relevant work permit information

Foreigners can hold only one valid work permit at a time and must remain employed/engaged by the legal entity that originally requested their work permit.

Once employed, foreign nationals have equal labor rights and obligations as Macedonian citizens with respect to working hours, breaks, night work, minimum annual leave, salaries, healthcare and safety at work. Further, employers have to calculate and pay mandatory social contributions and personal income taxes for salaries paid to foreign employees just as they do for local employees. Macedonia has concluded a number of bilateral treaties with other countries which ensure the mutual recognition of the parties' social contribution systems.¹²

8.1 Work permits for foreign companies with branch offices in Macedonia

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.

The employer applies for a one year work permit on the foreigner's behalf. The work permit may be renewed, provided that the employer can prove that the company and foreign representative has operated as planned during of the validity of the previous work permit. The employer must register the commencement and discontinuation of the job performed by the foreigner with the ESA.

The employer must submit the following documents to the ESA:

- Application form RD-3/8;
- Company registration details of the branch office in Macedonia;
- Proof for number of employees in the branch office;
- Company registration details of the foreign company (accompanied by a Macedonian translation);
- The foreigner's employment contract;
- Document which proves the foreigner's identity (copy of their passport accompanied by a Macedonian translation); and

¹² Republic of Macedonia has concluded treaties on social security with the following countries: Austria, Croatia, Turkey, Slovenia, Denmark, Switzerland, Serbia, Bulgaria, Germany, Bosnia and Herzegovina, Czech Republic, Netherlands, Romania, Poland, Luxembourg, Belgium, Australia, Canada and Montenegro. Additionally, as successor of SFR Yugoslavia, Republic of Macedonia accepted the international agreements on social security concluded by SFR Yugoslavia prior to its disintegration. You could find more details on the concluded agreements on the following link: <http://www.fzo.org.mk/default.asp?ItemID=BE2F03ECDE0D32498030C1DB3A5F649C>.

- Agreement for rental of an apartment/house where the foreigner will live (certified by a notary)

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 4.1](#) above.

8.2 Work permits for foreigners engaged on short term service contracts

In addition to traditional work permits granted to employees of local legal entities, Macedonia also issues work permits for non-employees (e.g., consultants).

These permits are issued for varying lengths of time, depending on their purpose. Such permits can only be renewed under certain conditions, but cannot be renewed while the foreigner is in Macedonia. These permits are issued on the basis of a company application. It is the company's responsibility to register the commencement and secession of the foreigner's engagement with the ESA.

Foreigners may obtain a work permit to provide contractual services only under justified conditions when s/he possesses expert knowledge that cannot be provided by the domestic labor market. The work permit may be issued more than once within one calendar year, but for a maximum of 90 days.

Companies must apply on behalf of the foreigner for work permits covering short term engagements by submitting the following documentation to the ESA:

- Application form RD 3/9;
- Company registration of the Macedonian company;
- Signed company engagement contract;
- Passport;
- Proof of relevant education that cannot be provided through the domestic labor market (e.g., diplomas, certificates);
- Proof of the number of employees in the Macedonian company; and
- Affidavits from both the employer and the foreigner that they have not been found guilty of a misdemeanor during the 3 years prior to their application in accordance with the Law.

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 4.1](#) above.

8.3 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.¹³

- 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;
- 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.

¹³ 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