

Newsletter

New migration requirements for foreign nationals

November 7, 2023

Dear Ladies and Gentlemen,

Please be informed that Federal Law No. 316-FZ dated 10 July 2023 (the "Law") made changes to legislation regulating the legal status of foreign nationals in the Russian Federation, including highly qualified specialists ("HQS"). The amendments will come into force starting from 2024.

The text of the Law can be found [here](#).

Increased salary of HQS

From **1 March 2024**, a new minimum salary (remuneration) threshold of **no less than RUB 750,000 per quarter** will be set for HQS. Please note that the current minimum threshold is RUB 167,000 per month.

Following the increase of the minimum threshold, the salary (remuneration) of HQS may either be changed to RUB 250,000 per month or increased to the established threshold through other payments for a reporting quarter.

Permanent residence permit for HQS and their family members

Starting from **7 January 2024**, foreign nationals who are HQS and their family members may obtain an **indefinite** permanent residence permit if they meet the following conditions:

- The HQS has been employed in the Russian Federation in this status for **at least 2 years**
- **Taxes were withheld and paid** for the HQS by the employer/customer of work (services) during the aforementioned 2 years
- HQS and their family members reside in the Russian Federation under a previously obtained **residence permit for HQS**.

Please be informed that according to the current regulations, a residence permit for HQS can only be issued and then extended for the duration of the work permit.

Documents to formalize the relationship

Starting from **7 January 2024**, an employer or customer of work (services) may provide the Ministry of Internal Affairs with **certified copies** of an employment or commercial contract in order to issue a work permit and an invitation letter for an HQS to enter the Russian Federation. Please be informed that the original versions of these documents must be provided at present.

We would also like to remind you that foreign nationals who temporarily stay in the Russian Federation **are no longer required to submit** a voluntary medical insurance policy or a contract on the provision of paid medical services for employment. Contracts with such individuals do not need to include a clause on the provision of medical care, including details of a voluntary medical insurance policy or an agreement with a medical organization. The amendments **do not apply to HQS**.

Deadline for obtaining a HQS work permit

Starting from **7 January 2024**, HQS will be required to apply to the Ministry of Internal Affairs for a work permit within **30 calendar days** from the date of the decision on its issuance. If there are **valid reasons**, at the request of the employer or the customer of the work (services), it may be obtained at a later date, not exceeding 30 calendar days from the date of submission of the relevant application to the Ministry of Internal Affairs.

Work permits **not obtained** within the specified period **shall not be issued**, and the decisions taken to issue such work permits **shall be cancelled**.

New rules to prohibit the engaging of HQS

Starting from **7 January 2024**, an employer or a customer of works (services) **may not** engage a HQS **for 2 years** if the employer or customer has not provided tax reports within 6 months following the reporting period or has submitted false or fraudulent information.

New deadlines for the departure of HQS and their family members

Starting from **7 January 2024**, the timeframe for the departure of HQS and their family members will be changed:

- **30 calendar days**, if the HQS has not concluded a new employment or commercial contract within 30 working days from the date of the early termination of the contract
- **30 calendar days**, if the application of the employer or the customer of works (services) to engage the HQS was rejected
- 15 calendar days from the date of expiry of the work permit

After these deadlines have expired, the documents issued to the HQS and their family members shall be considered invalid.

The ALRUD **Labour and Employment team** will be glad to provide any legal assistance you might need on migration legislation, as well as issues related to the employment of foreign citizens, including HQS.

We hope that the information provided herein will be useful for you. If any of your colleagues would also like to receive our newsletters, please let us know by sending us his/her email address in response to this message. If you would like to learn more about our **Labour and Employment Practice**, please let us know in reply to this email. We will be glad to provide you with our materials.

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If you have any questions,
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