

IMMIGRATION AND RESIDENCY

IN THE BALTICS



Gencs Valters Law Firm

Riga office: Valdemara Center 3rd floor, Kr. Valdemara street 21, LV-1010, Riga, Latvia
T: +371 67 24 00 90 F: +371 67 24 00 91

Tallinn office: World Trade Center 6th floor, Ahtri street 12, 10151 Tallinn, Estonia
T: +372 61 91 000 F: +372 61 91 007

Vilnius office: Vilniaus vartai, 6rd floor, A.Tumėno st. 4, LT-01109, Vilnius, Lithuania
T: +370 52 61 10 00 F: +370 52 61 11 00

info@gencs.eu
www.gencs.eu
www.attorneys-at-law.eu

IMMIGRATION AND RESIDENCY IN LATVIA

European Union citizens

EU citizens have the right to stay in Latvia on the basis of a valid travel document for the period of up to 3 months within half a year counting from the first day of entrance. If the person wishes to stay in Latvia longer, the temporary residence permit shall be applied.

An EU citizen who has resided in Latvia permanently for 5 years on the basis of temporary residence can obtain the right of permanent residence.

In order to obtain the right of temporary residence permit the following documents will be required:

- the copy of the person passport;
- person marriage dates, info on spouse, parents, children, brother, sister, languages knowledge's, education, serving in military services, residence in foreigner countries indicated in official Application form;
- information on the person possible place of residence in Latvia;
- document confirming person staying in Latvia (for example, labor agreement - for employee)

The person must have income 360 EUR per month.

State fees: Per registration of the address 4,27 EUR

Documents must be submitted personally in Latvia, in Immigration department.

Non European Union citizens

The most common are following temporary residence permit forms:

1) If investors purchase and own a real estate (functionally bounded with buildings) worth over 250 000 EUR. The immovable property cannot consist of agricultural land or forest land. The minimal cadastral value has been increased to 80,000 EUR. Besides 5 percent of the value of real estate will have to be paid into the state budget by third-country citizens who apply for Latvia's residence permit for the first time. The real estate shall be inquired only from the legal persons registered in Latvia, Latvian citizens, noncitizens, EU citizen, or person with the residence permit of Latvia. The transactions have to be done with clearing and no debt is allowed with regard to real estate tax. The property might be bought by you as individual. In this case you must have income 960 EUR per month and place of residence in Latvia. The residence permit will be issued per 5 years and once per year you might register in Immigration department.

In this case you must have income 1080 EUR per month. The residence permit will be issued per 5 years and once per year you might register in Immigration department.

2) If a person (individual) invests at least 150 000 EUR or 35 000 EUR in the share capital and a company.

If 35'000 EUR are invested, the company shall pay in taxes at least 40 000 EUR within a financial year, has maximum 50 employees and annual turnover cannot exceed 10 000'000 EUR, for maximum 3 persons.

If 150 000 EUR are invested, the company shall have more than 50 employees and annual turnover shall exceed 10 000'000 EUR.

In this case you must have income 1080 EUR per month and place of residence in Latvia. The residence permit will be issued per 5 years and once per year you might register in Immigration department.

3) If a person (individual) invests at least 280 000 EUR in a credit institution for (at least) 5 years term (without rights to discontinue this investment earlier). 25 000 EUR will have to be paid into the state budget by third-country citizens who apply for Latvia's residence permit for the first time
In this case you must have income 360 EUR per month and place of residence in Latvia. The residence permit will be issued per 5 years and once per year you might register in Immigration department

4) a person registered in the Latvian Commercial Register as the Board or the Council, managing or a person authorized to represent a corporate entity (a foreign corporate entity) in activities related to the branch office in Latvia;

The company must be registered per 1 year, has to pay in taxes min. 21 350 EUR per year.

In this case you must have income 1432 EUR per month and place of residence in Latvia. The residence permit will be issued per 5 years and once per year you might register in Immigration department

5) a representative of a foreign corporate entity.

The representative office must prove their business activity by presenting of concluded agreements.

In this case you must have income 360 EUR per month and place of residence in Latvia. The residence permit will be issued per 4 years and once per year you might register in Immigration department

6) The person is an employee in the Latvian or foreign company.

In this case you must have salary 716 EUR per month and place of residence. The residence permit will be issued per the term of the Employment agreement. Receiving of the work permit and announcement of the vacancy (1 month before receiving of the work permit) is required before receiving of the residence permit.

The residence permit will be issued within 30 days (or within 80 days if you will buy immovable property, invest in share capital of company or in bank account) if the state fee 99,60 EUR is paid, 10 days –241.89 EUR , 5 days – 384.18 EUR is paid).

Person spouse and minor children, as well as dependants can receive the residence permit on the ground of your received residence permit. Person spouse income per months must be 360 EUR, a child–216 EUR.

In order to obtain the right of temporary residence permit the following documents will be required:

- the copy of the person passport and information on person address abroad;
- person marriage dates, info on spouse, parents, children, brother, sister, languages knowledge's, education, serving in military services, residence in foreigner countries indicated in official Application form;
- information on the person possible place of residence in Latvia;
- document confirming person staying in Latvia (for example, labor agreement - for employee);
- a statement on punish ability issued by a competent institution of the citizenship or the host country (for a foreigner more than 14 years old), if a foreigner has resided in that country longer than 12 months;
- health insurance policy.

First time to apply for a residence permit, a foreigner must submit documents personally to a diplomatic or consular representative office of Latvia abroad, outside Schengen and EU countries.

Investors in the real estate, share capital of the company or credit institutions who legally visit Latvia may all documents submit in the Latvia Immigration department. This rule is not applicable to the citizens of Afghanistan; Algeria; the United Arab Emirates; Bahrain; Bangladesh; Egypt; Indonesia; Iraq; Iran; Yemen; Jordan; Qatar; Kenya; Korea, Chechnya, Dagestan and Ingushetia; Kuwait; Lebanese; Libyan Arab Jamahiriya; Morocco; Nigeria; Oman; Pakistan; Palestine; Saudi Arabia; Syria; Somalia; Sudan; Sri Lanka and Tunisia.

Schengen visas

The Schengen visa allows the holder to a total stay of up to 3 months days within a period of 6 months for tourist or business purposes. Receiving the multiple entry Schengen visa, is possible to leave and return in any number of times within the 6 months period, but the combined stay within the region must not total more than 3 months (90 days).

The Latvian Embassy or a Consulate of the Republic of Latvia takes a decision of the issue of a visa within 7 days of the receipt of necessary documents. If additional information is required, the process may take up to 30 days.

Documents required for applying for Schengen visa for travel to Latvia:

- A valid passport or other travel document (containing at least two blank pages and with a term of validity exceeding the expiry date of the visa requested by a minimum of three months);
- A completed and signed official application form;
- 1 passport-size recent color photo (35x45mm);
- Travel medical insurance policy valid in all Schengen countries and covering the entire period of the visit in the Schengen area (the minimum amount of the insurance is 30 000 EUR);
- Payment or confirmation of the payment of visa application fee. Short-term visa costs 60 EUR.

Supporting documents justifying the purpose and conditions of the visit (the necessity to submit any of the below is defined by the consular officers):

- purpose of entry or visitation (such as an invitation number approved by the Office of Citizenship and Migration Affairs);
- means of transport for arriving and leaving Latvia (such as round-trip tickets or a reservation for tickets);
- means of subsistence to stay in Latvia and other Schengen countries, and means to return to state of residence (such as records of bank account transactions in the past months or tax returns); (The following amounts are required: if the party extending the invitation provides the foreign national being invited with accommodation, the estimate for the required financial means is approx.14 EUR a day; if the foreign national intends to stay at a tourist accommodation, the estimate for the required financial means takes into account the cost of lodging based on the applicable rates, and is at least 42 EUR a day.
- place of residence in Latvia (such as a hotel reservation or an invitation approved by the Office of Citizenship and Migration Affairs, if staying with the inviting party);
- proof that you will return to your state of residence (such as a letter from the employer or an educational institution).

If there is the Schengen visa issued to the employee of the Latvian or foreign company, receiving of the work permit and announcement of the vacancy (1 month before receiving of the Schengen visa) is required before receiving of the visa.

In this case you must have salary 684 EUR per month.

A multiple-entry visa may be issued to a foreign national if the applicant proves the need to travel frequently and/or regularly and justifies such need, in particular due to his occupational or family status, and if the foreign national has used any previous visas lawfully, as well as proves his integrity and reliability, his economic situation in the country of origin and his genuine intention to leave the territory of the Member States before the expiry of the visa applied for.

IMMIGRATION AND RESIDENCY IN LITHUANIA

Any European Union citizen is free to stay in the Republic of Lithuania for a period up to 3 months within half a year. If the person wishes to stay in the Republic of Lithuania longer, he or she should declare his place of residence in Lithuania. It should be noted that a citizen European Union has the right to bring their family members to Lithuania. If family members of the citizen of European Union are citizens of a third country and are coming for more than 3 months in the period of one year, they have to receive a residence permit.

Residency and Work Permits in Lithuania

Non-European Union citizens, willing to engage in certain activities in Lithuania like studies or work must apply for and receive a temporary residence permit. If a temporary residence permit on studies is issued, non-European citizen enjoys the right of possible part-time work (which is not more than 20 hours per week according to the Art. 46 of the Law on the Status of Aliens). Depending on the reasons of staying in Lithuania, temporary residence permit may be issued for a period not longer than 5 years through the local migration office.

Regarding the work permit, Lithuanian registered enterprise may employ a foreigner if he (she) has a valid work permit issued by the Lithuanian Labour Exchange. However, there are certain exceptions. Citizens of the EU, foreigners holding a permit for permanent residence, foreigners who retained their right to the citizenship of the Republic of Lithuania, foreigners of the Lithuanian origin and foreigners who have received their residence permit on the basis of family reunion or who are employees of high qualification, do not require a work permit. Other exceptions are provided in the Law on Legal Status of Aliens.

Possession of a temporary residence permit may grant a right to obtain the work permit. A temporary residence permit is issued for the period of the work permit (up to 2 years). The work permit is not required for persons who work as a head of the company registered in Lithuania.

Employment of non-Lithuanian Residents

There is a certain procedure which shall be applied in the cases of employing a foreigner. One month prior employment a Lithuanian registered enterprise must register free working place at the local labour exchange and apply for the issue of a work permit. In the cases when the company established in the Republic of Lithuania is under bankruptcy the right to apply for the work permit is not possible. The procedure goes as follows: a local Labour Exchange office examines the application, if a positive decision is reached, local Labour Exchange office the documents to the Lithuanian Labour Exchange, which issues a work permit to the foreigner. The application, depending on qualification of the future foreign employee may take from one to two months. If the application is approved, work permit for a foreign employee will be valid for 2 years.

It shall be noted that if a company is willing to hire a high qualification employee, there are different requirements. High qualification employee shall have a university degree (or other type of degree comparable to a university degree) and the monthly salary for such employee shall be not less than an average brute salary in Lithuania multiplied by 2. A company shall register free working place at the local labour exchange 14 days prior to application for work permit. The deadlines for processing the application are much shorter: local labour exchanges examines the application within 7 days, Lithuanian Labour Exchange issues a work permit within 7 days. Within 3 days Lithuanian Labour Exchange informs Migration Department that work permit has been issued and sends an electronic copy of the permit.

Residence Permit costs and Requirements in Lithuania

When issuing an alien a residence permit for the first time, the alien will usually be issued a temporary residence permit.

An alien who applies for the first time for the issue of a residence permit shall lodge an application for the issue of a residence permit with the diplomatic mission or consular post of the Republic of Lithuania abroad.

A temporary residence permit for one year may be issued to an alien who intends to engage in lawful activities in Lithuania, provided that the alien:

- 1) Is a sharer in the company, which carried out the activities referred to in its Articles of incorporation for at least the last 6 months prior to the alien's application for the issuance of a temporary residence permit, which has registered at least three full-time workplaces and which has the authorized capital (assets) of at least 28,000 EUR, of which not less than 14,000 EUR is alien's investments in the company. The alien shall hold the position of head of collegial or supervisory body, a sharer who has the right to enter into transactions on behalf of the company, or a shareholder, who owns a part of company's shares which is equal to nominal value of 1/3 of the share capital of the company;
- 2) Is a CEO or a member of management or supervisory board of the above mentioned company and the main purpose of coming to Lithuania is to work in this company;
- 3) Is exempt from the requirement to obtain a work permit according to the Art. 58 (2) of the Law on the Legal Status of Aliens.

A temporary residence permit for an alien who is engaged in lawful activities in Lithuania will be issued for the period of one year. A repeated residence permit will be issued for the period of two years. If an alien has invested at least 260,000 EUR in the company and the company has at least five full-time workplaces, a temporary residence permit shall be issued for the period of three years.

Prior to the issuance of the temporary residence permit, the activity of the company will be evaluated in order to decide if the company is not fictitious.

The person shall have at least 300 EUR per month (3600 EUR per year) of income and a place of residence in Lithuania (registered rent agreement or written consent of the owner is required).

State fee for document administration is 86 EUR, 172 EUR for accelerated procedure and 28 EUR for formalizing a temporary residence permit (56 EUR for accelerated procedure); 60 EUR for the issuance of visa.

Requirements for accommodation

According to the wording of the Art. 26 of the Legal Status of Aliens, a temporary residence permit will only be issued in case when an alien has an accommodation where he (she) intends to declare his (hers) place of residence and when the accommodation meets hygiene requirements, construction and fire safety regulations. The living space in such accommodation shall be not less than 7 square meters per person. It shall be noted that the living space will be calculated by dividing

the total area from the number of adult inhabitants which have declared their place of residence under that address.

If a temporary residence permit is issued to an alien who is going to study, minimum living space requirement per person shall be at least 4 square meters.

Minimum living space requirement will not be applicable to a foreigner if his (hers) job involves constant commuting on international routes or if the employer will send the foreigner to work under a service contract to another EU or European Free Trade Association member state.

General Procedure

An alien who applies for the first time for the issue of a residence permit shall lodge an application for the issue of a residence permit with the diplomatic mission or consular post of Lithuania abroad. Within not more than 4 months from the day of application, (2 months in case of accelerated procedure) the decision on temporary residence permit will be issued. The decision to grant the temporary residence permit is terminated if it is not used within the period of 3 months.

The following documents have to be submitted in order to apply for the temporary residence permit:

(i) Official Application form, which will be provided in the consular post of Lithuania abroad; (ii) valid travel document, which validity shall be not less than 3 months until the validity of the temporary residence permit expires and its copy; (iii) documents, proving the grounds for the temporary residence permits; (iv) document, proving that the alien can sustain himself in Lithuania; (v) document proving that the alien has living premises in Lithuania belonging to him or on the basis of the lease agreement; (vi) health insurance document (shall be presented after the decision is issued on granting the temporary residence permit); (vii) document, proving that the state fee is paid. State fee for document administration is 86 EUR or 172 EUR for accelerated procedure and 60 EUR for the issuance of visa.

Documents shall be submitted personally to the Lithuanian Embassy in alien's home country or to the Lithuanian Migration Office directly if alien is legally in the Republic of Lithuania. After residence permit is issued an alien must stay in Lithuania at least 6 months per year, otherwise residence permit may be cancelled or refused to prolong. Residence permit is valid for 1 year and it can be prolonged afterwards. Documents for residence permit prolongation shall be submitted to the Lithuanian Migration Office or its local subdivision according to alien's declared place of residence in Lithuania.

Family members entering into Lithuania to join the alien who has been issued a temporary residence permit on the particular grounds may be issued a temporary residence permit for the same period as the alien. However, current Lithuanian legislation sets the further requirements for the alien whose family members wish to reside in Lithuania on the grounds of family reunion. The requirements are the following: the alien should have lived in Lithuania for not less than 2 years, shall have a valid permit to live in Lithuania for one more year and have grounds for acquiring permanent residence permit. The aforesaid requirements are not applicable for family members of the alien coming to work high professional qualification job or coming to perform scientific research and (or) experimental development works as a researcher according to an employment agreement concluded with a scientific research company registered in Lithuania. If these requirements are met, family members have to present same documents as the alien and additionally submit documents proving their relationship status with an alien (marriage, partnership agreement) or that they are alien's children under 18 years old.

Pursuant to official data in 2011 70% of all residence applications were satisfied and 80% of applications from Asia countries were satisfied.

The Schengen Area

In 2007, the Council of Ministers of Justice and Internal Affairs of the European Union (EU) adopted the decision on the accession of nine new states - Lithuania, Latvia, the Czech Republic, Estonia, Poland, Malta, Slovakia, Hungary and Slovenia - to the Schengen area. From December 21, 2007 these nine states abolished checks on persons at internal land borders and from March 30, 2008 - checks on persons at air borders within the Schengen area.

Today the Schengen area is composed of 25 states:

- 22 EU member states: Austria, Belgium, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain and Sweden;

- 3 non-EU states: Iceland, Norway and Switzerland. From December 12, 2008 Switzerland abolished checks on persons at internal land borders within the Schengen area and from March 29, 2009 will abolish check on persons at air borders within the Schengen area.

Citizens of the 25 states that belong to the Schengen area have equal rights to travel without visas and border control.

The EU Member States Ireland, Bulgaria, the United Kingdom, Cyprus and Romania do not belong to the Schengen group. The United Kingdom and Ireland still keep control on borders with other EU states (but they are committed to provide police and legal cooperation in criminal cases).

The Schengen group requires only one visa. This means that a person wishing to travel anywhere in the Schengen area needs to get only one visa.

Schengen Visas

Visas are issued at diplomatic missions or consular offices of the Republic of Lithuania abroad.

In order to get a visa an alien must submit:

- a valid travel document;
- an established form of application for Schengen Visa;
- one photo of 35x45 mm, corresponding to the age of an alien;
- the receipt of the paid consular fee which is 60 EUR;
- a valid document certifying his/her health insurance;

In order to get a short-stay visa an invitation letter of a natural or legal person of the Republic of Lithuania for temporary arrival to the Republic of Lithuania contrived by a migration office of the police commissariat must be submitted.

For extension of visa a 30 EUR state fee shall be paid.

An alien possessing a short-stay visa may enter and stay within the Schengen area for the time period established in the visa but no longer than 90 days in any 180-day period from the first day of entry.

Free-Visa Travelling

Citizens from the following countries may enter Lithuania without visa:

Albania (for holders of diplomatic passport only); Andorra; Argentina; Armenia (for holders of diplomatic passport only); Australia; Austria; Belgium; Brazil; Bosnia and Herzegovina (for holders of diplomatic passport only); Brunei Darussalam; Bulgaria; Canada; Chile; China (for holders of diplomatic and official passport only); Costa Rica; Croatia; Cyprus; Czech Republic; Denmark; Estonia; Finland; France; Germany; Guatemala; Greece; Honduras; Hong Kong Special Administrative Region (for holders of Hong Kong Special Administrative Region passport only); Hungary; Iceland; Ireland; Israel; Italy; Japan; Korea (South); Latvia; Liechtenstein; Luxembourg; Macau Special Administrative Region (for holders of Macau Special Administrative Region passport only); Macedonia (for holders of diplomatic passport only); Malaysia; Malta; Morocco (for holders of diplomatic passport only); Mexico; Moldova (for holders of diplomatic passport only); Monaco; Montenegro (for holders of diplomatic passport only); Netherlands; New Zealand; Nicaragua; Norway; Panama; Paraguay; Poland; Portugal; Romania; Russia (for holders of diplomatic passport only); San Marino; El Salvador; Serbia (for holders of diplomatic passport only); Singapore; Slovakia; Slovenia; Spain; Sweden; Switzerland; Turkey (for holders of diplomatic, official and special passports only); Ukraine (for holders of diplomatic and official passport only); United Kingdom; United States; Uruguay; Vatican City (Holy See); Venezuela.

Under this regime, foreigners from these countries may stay in Lithuania without visa for up to 90 days within 180-day period, counting from the day of entry.

IMMIGRATION AND RESIDENCY IN ESTONIA

European Union citizens

EU citizens have the right to stay in Estonia on the basis of a valid travel document or identity card for the period of up to 3 months. If the person wishes to stay in Estonia longer, the temporary residence permit shall be applied.

The temporary residence is granted for a period of 5 years.

An EU citizen who has resided in Estonia permanently for 5 successive years on the basis of temporary residence shall obtain the right of permanent residence.

It should be noted that EU citizen has a right to bring their family members to Estonia to whom applies the same residence regulation as for EU citizen.

In order to obtain the right of temporary residence an EU citizen must contact the local government authority nearest to his/her place of residence.

Upon the application for an identity card the following documents must be submitted to the Police and Boarder Guard Board:

- a standard application form
- an identity document of the applicant;
- a colored photo sized 40x50 mm;
- a document certifying the payment of the state fee 25 EUR.

Identity cards are issued within a period of one month from the date of submission of the application.

The right of temporary residence shall be extended automatically for a period of five years if the registered place of residence of the EU citizen is continually in Estonia and if the right of temporary residence of the EU citizen has not been expired or terminated. If the period of validity of an EU citizen's identity card has expired he/she has to apply for a new identity card.

Non European Union citizens

A temporary residence permit may be issued to aliens:

- married to a person with permanent residence in Estonia;
- for settling down with a close relative permanently residing in Estonia;
- for working;
- for studies at an Estonian educational institution;
- for business;
- in case of substantial public interest;

There are 2 types of the residence permits:

1) Residence permit for employment - an alien is required to have a residence permit for employment or a work permit for activity in Estonia on the basis of an employment contract or other contract, and for other activities for the benefit of other persons where obtaining gain or any other proprietary benefit can be presumed, regardless of the type or form of the contract on which such activity is based, and the location of the seat or residence of the other party.

Non-EU citizen may apply for a residence permit for employment if an open competition has been carried out to staff and citizen has qualifications, education, health, work experience, special skills and knowledge required for the job. The Estonian Unemployment Insurance Fund has to give its consent before non-EU citizen can be employed. The consent is valid for 2 months from the moment of its issue. A residence permit is issued only if the wages of an alien ensure his/her subsistence in Estonia. An employer must pay an alien a salary which is at least equal to the product of the recent average yearly wages in Estonia published by the Statistical Office of Estonia and the coefficient 1, 24.

The consent of the Estonian Unemployment Insurance Fund and open competition is not necessary when applying to work as an expert, advisor, consultant (professional qualification required) or for the purpose to perform managerial or supervisory functions of a legal person registered in Estonia that is governed by private law. When applying as the latter, some conditions apply:

- the company must have been registered in Estonia for at least 5 months;
- the company must have conducted actual business activities in Estonia during the last 5 months;
- the granting of residence permit must significantly contribute to achieve the purpose of granting of residence permit for employment.

An employer must still pay the alien a salary which is at least equal to the product of the recent average wages in Estonia and the coefficient 1,24.

2) Residence permit for business - non-EU citizen who owns shares in a company or acts as a sole proprietor and who has continuous financial means, may apply for residence permit for business in Estonia. The company or the sole proprietor must be registered in the Estonian Commercial Register and the settlement of the alien in Estonia must be important for the business. The company or the sole proprietor is required to have a business plan which states the character and range of the business, financial forecasts for the next two financial years, number of staff, necessary qualification and know-how of the staff, and:

- Non-EU citizen has invested in Estonia a capital sum of 65 000 EUR under his/her control in the case of a company;
- Non-EU citizen has invested in Estonia a capital sum of 16 000 EUR under his/her control in the case of a sole proprietor.

The equity capital of a company, subordinated liability and registered fixed assets value may be considered as investment.

It is necessary to show legal income for the last 6 months that is equal to the eighteen Estonian average wages. In the II quarter of 2014 the average wages in Estonia was 1023 EUR, i.e. it is necessary to show legal income in the amount of at least 18414 EUR for the previous 6 months.

Other requirements associated with every residence permit type

An alien who applies for the first time for the issue of a residence permit shall generally lodge an application for the issue of a residence permit with the diplomatic mission or consular post of the Republic of Estonia abroad. Documents shall be submitted personally by an applicant.

It is possible to submit the documents in Estonia when applying for the residence permit for business or for resident permit for managerial or supervisory employment in a company governed by private law, on the following conditions:

- the company must have been registered in Estonia for at least 4 months;
- the company must have conducted actual business activities in Estonia in the last 4 months;
- the applicant is staying in Estonia on the basis of visa or visa-free in relation to the activities of the company.

An alien is required to register his or her residence in Estonia in the population register within one month after entry in Estonia or commencement of stay in Estonia on the basis of a residence permit.

An alien has to have an insurance contract guaranteeing that any costs related to his or her medical treatment as a result of illness or injury during the period of validity of the residence permit applied for will be met to the extent equal to persons covered with health insurance.

The following documents have to be submitted in order to apply for the temporary residence permit: (i) Official Application form; (ii) valid passport; (iii) valid travel document, which validity shall be not less than 3 months until the validity of the temporary residence permit expires and its copy; (iv) documents, proving the grounds for the temporary residence permits; (v) document, proving the legal income; (vi) applicants CV; (vii) document proving that the alien has living premises in Estonia belonging to him or on the basis of the lease agreement; (viii) colored photo 40x50 mm; (ix) health insurance document (shall be presented after the decision is issued on granting the temporary residence permit); (vii) document, proving that the state fee 65 EUR or 100 EUR (residence permit for employment) or 160 EUR (residence permit for business) is paid.

Residence permit may be temporary (validity period up to five years) or long-term. Temporary residence permit may be extended if the basis for the permit has not changed and application is justified.

An alien residing in Estonia on the basis of temporary residence permit who is intending to stay outside Estonia for more than 183 days per year, has to register one's staying away from Estonia with the Police and Border Guard Board.

Schengen visas

The Schengen visa allows the holder to a total stay of up to 3 months days within a period of 6 months for tourist or business purposes. Receiving the multiple entry Schengen visa, is possible to leave and return in any number of times within the 6 months period, but the combined stay within the region must not total more than 3 months (90 days). Schengen visa shall be applied by a citizen of a country whose citizens are subject to the visa requirement. A Schengen visa must be applied in person, not by mail.

Receiving once a Schengen visa, the person may enter one country and travel freely anywhere within the Schengen territory. Internal border controls have been abolished and there are no or few stops and checks. Internal air, road and train travel are handled as domestic trips. The Schengen

Agreement still allows customs control as long as there is no passport check, and checks are made randomly, or at real suspicions.

It takes between 2 and 10 working days to get Schengen visa for short-term stays. Processing time may be up to several months for long term visas.

Schengen visa types

An airport transit visa (A) allows a person to transit through the international zone of a Schengen airport without entering the Schengen territory.

A transit visa (B) allows a person to transit no more than 5 days through Schengen countries by car, coach or travelling through different airports on the persons way to another non-Schengen country.

A short stay visa (C) allows a person to visit the Schengen countries for tourism, family or business visits, up to a maximum 3 months in a given 6 months period.

A circulation visa (C) is a short stay visa valid at least a year: It is mainly issued for business visits that have an invitation letter from a Schengen country, to aircrew member, to people having a special interest in the Schengen territory.

A long stay visa (D) allows a person to stay for more than 3 months, e.g., study, work, retire etc.

State fees for processing the Schengen visa application:

Airport transit visa (A)	60 €
Short-term visa (C)	60 €
Short-term visa (C) children 6-12 years	35 €
EU agreements on the facilitation of the issuance of visas (applies for the citizens of the Russian Federation and Ukraine)	One-time and multiple-entry visa 35 €; urgent visa 70 €
EU agreements on the facilitation of the issuance of visas (applies for the citizens of Albania, Bosnia and Herzegovina, Georgia, FYROM, Montenegro, Serbia and Moldova)	One-time and multiple-entry visa 35 €

Visas are issued at diplomatic missions or consular offices of the Republic of Estonia abroad.

In order to get a visa an alien must submit:

1. a valid travel document;
2. an established form of application for Schengen Visa;
3. one photo of 35x45 mm, corresponding to the age of an alien;
4. the receipt of the paid consular fee;
5. a valid document certifying his/her health insurance;
6. supporting documents indicating the purpose of the trip;
7. documents proving the possession of sufficient means of subsistence (64 EUR for each day in Estonia);
8. documents in relation to accommodation;
9. information which enables to assess the intention to leave the Schengen area before the expiry of the visa.

Gencs Valters Law Firm

Valters Gencs
Managing Partner, Attorney at Law
valters.gencs@gencs.eu

Riga office - Valdemara Center 3rd floor,
Kr. Valdemara 21, LV - 1010, Riga, Latvia
T: +371 67 24 00 90 F: +371 67 24 00 91

Tallinn office - World Trade Center 6th floor,
Ahtri street 12, 10151 Tallinn, Estonia
T: +372 61 91 000 F: +372 61 91 007

Vilnius office - Vilniaus vartai, 6th floor,
A.Tumėno st. 4, LT-01109, Vilnius, Lithuania
T: +370 52 61 10 00 F: +370 52 61 11 00

info@gencs.eu

<http://www.gencs.eu>

<http://www.attorneys-at-law.eu>