

THE DRAFT NEW ALIENS ACT OF MAY 2013 USHERS IN TIGHTER RULES FOR ALL

The thousandth-and-first reason to reject or cancel the residence permit

Foreigners (particularly those coming from non-EU countries) are subject to strict control by the authorities and if anything changes in their lives (loss of job, business suspension, divorce, completion of schooling) they might easily lose their residence permit. Their status depends on an officer's stamp but the Ministry of the Interior's offices are inaccessible due to the queues. Moreover, officers fail to deal with requests within statutory deadlines. In order to avoid mistakes in the complicated process of extending a residence permit, foreigners have to pay for expensive legal services or professional intermediaries. If not employed, foreigners are not covered by the public health insurance system and have to pay commercial health insurance that does not cover all necessary health care. They often have to postpone marriage and establishing a family because the amount of net income they need to prove to Czech authorities increases with every new family member.

Their only hope for a peaceful life is a chance of obtaining permanent residency – which could become even more complicated because the Ministry of the Interior suggests further tightening of the existing law:

- Introduction of new visa type – a so-called “national visa”. Holders of this visa would not be able to extend their permits; they would not be entitled to public health insurance even if employed, and would never be able to settle in the Czech Republic, integrate into society and reunite with their families in the territory of the Czech Republic.
- The access to permanent residency and family reunification for all other foreigners would be on the condition of their wealth: the monthly family net income (without any state benefits) would have to attain 15,400 CZK (2 persons), 22,000 CZK (3 persons) and 28,600 CZK (4 persons), regardless of actual living costs. Tighter conditions for proving the incomes would also apply to students.
- To run a business in the Czech Republic would only be permitted to foreigners with substantial investments within their “credible and viable” business plan. With regard to companies (corporations) the Ministry of the Interior would assess whether the foreigner actually and significantly contributes to running the company. The draft law also plans to cancel some existing categories of permanent residency which the Ministry in the past proposed to introduce.
- The residence permit can be denied/not extended/cancelled only in cases expressly stated in law. The current legislation recognizes 20 cases, the new draft would increase this total to 60!
- Foreigners would be punished by non-extension of their residence permits even for offences of their employers.
- The permanent residency would depend on intelligence services: if intelligence services declare that they have classified information proving a foreigner to be dangerous, his/her residence would be prohibited without further explanation. The foreigner would have no chance to review this information or to initiate a legal challenge in court.

If you disagree with these changes and you think that State should not make someone's life complicated only because he/she was born outside the Czech Republic, support the petition on <http://www.jednej.cz/petition.php?id=2351>.

Contact: office@konsorcium-nno.cz

For more information visit: www.migraceonline.cz/cz/temata/novy-cizinecky-zakon