

SUMMARY OF THE PROCEDURE FOR ISSUANCE OF WORK PERMITS TO FOREIGN NATIONALS

Competent Authority	Cantonal Employment Services Federal Employment Institute
Purpose of the administrative procedure	Issuance of work permits to a foreign national. Request for issuance of work permit (Form OZ 1) or extension of work permit (Form OZ 2) is submitted by the employer to the Cantonal Employment Service for, which, upon approval of the Federal Employment Service, issues the work permit to foreign national. The entire proceeding is described in the document <i>Procedure for Issuance of Work Permits</i> .
Legal basis for the administrative procedure	<ul style="list-style-type: none"> • Law on Movement and Stay of Foreign Nationals and Asylum ("Official Gazette of BiH", number 36/08), • Law on Employment of Foreign Nationals ("Official Gazette of the Federation of BiH", number 8/99), • Law on Administrative Procedure ("Official Gazette of the Federation of BiH", number 02/98 and 48/99).
Administrative costs of the administrative procedure	<p>The fee for administrative costs of the Service for Employment on the cantonal level is 100.00 KM, and the Federal Employment Service 50.00 KM.</p> <p>In addition to the aforementioned fees, administrative fee in the amount of 1,000.00 KM is charged only in Canton Sarajevo pursuant to tariff number 37. Paragraph 2 of Article 19 of the Law on Administrative Fees ("Official Gazette of Canton Sarajevo ", number 30/01 – Revised Text, 22/02, 10/05 and 26/08), from which the institutions in the areas of pre-school education, education, science, culture, protection of cultural and economic heritage , health care, veterinary medicine, social care, and humanitarian and charity organizations are exempt in carrying out their activity.</p>
Information required for issuance of work permit	<ul style="list-style-type: none"> • Information about the foreign national, in particular: full name (first name and surname), including all prior names and surnames; names and surnames of the parents; date of birth; sex; place of residence and address in the country of origin; number, date and place of issuance of the current travel documents; • information on the job position, kind and conditions of work; • number and date of registration of the commercial company, representative office, independent business or craft in the Federation of BiH; • number and date of the bank confirmation of the employer's solvency; • name, number and date of the written document that represents proof that all tax obligations and contributions have been paid for all

	<p>current employees, including the foreign national in case of application for permit extension;</p> <ul style="list-style-type: none"> • number and date of the written explanation of the employer of justification for employing a foreign national; • number, date and place of issue of the education diploma of the foreign national that must be translated into one of the languages in official use in BiH and nostrified by the responsible body.
<p>Documentation required for issuance of work permit</p>	<p><u>Along with the application for <i>issuance of work permit</i>, certified copies of the following documents shall be enclosed:</u></p> <ul style="list-style-type: none"> • passport or another valid travel document, and, in exceptional cases, certified translation of such documents as well; • diplomas for completed education that must be translated into one of the languages in official use in BiH and nostrified by the responsible bodies. Applicants who are foreign investors or founders of companies and/or persons authorized to represent the employer (directors, executive directors, procurator, etc.) or persons registered to carry out independent activity- crafts, are exempt from the obligation to nostrify the diploma, but need to attach a certified translation of the diploma on completed education with the request for issuance of work permit (item 7.8 of the Procedure); • decision on registration of the employer – commercial company, representative office, independent business or craft etc. in the Federation of BiH, tax number and tax registration certificate; • proof of employer’s solvency issued by a bank with which the employer has its account; • decision on establishment, i.e. work rulebook including organizational chart or other appropriate document (job description and conditions for establishing working relationship), for the employer with 15 positions or more; <p>The following documents shall be enclosed as originals:</p> <ul style="list-style-type: none"> • written explanation of the employer justifying hiring of a foreign national in accordance with item 7.2 of the Procedures (special conditions); • evidence that all taxes and mandatory contributions have been paid for all employees when issuing the first work permit, except for newly established businesses; • evidence that all administrative costs and applicable fees have been paid.

	<p><u>Along with the application for extension of the work permit certified copies of the following documents shall be enclosed:</u></p> <ul style="list-style-type: none"> • passport or another valid travel document, and, in exceptional cases, certified translation of such documents as well; • contract on work concluded on the basis of previously issued work permit; • excerpt from the court registry or confirmation of the responsible body certifying the performance of activity; • proof of employer’s solvency issued by a bank with which the employer has its account; • evidence that all taxes and contributions have been paid for all employees; • evidence that administrative costs and applicable fees have been paid.
<p>Deadline / Time required for issuance of work permit (from submission of the request until adoption of the decision on issuance)</p>	<p>Deadlines for issuance of the decision under Article 216 of the Law on Administrative Procedure (LAP) are 15, 30 and 60 days.</p> <ul style="list-style-type: none"> • If the applicants are foreign investors or founders of companies and/or persons authorized to represent the employer (directors, executive directors, procurator, etc.) or persons registered to carry out independent activity- crafts, the procedure for issuance of work permits are exempt from certain rules set out in the Procedure, and may be completed within 12 days and within 15 days from the date of submitting the request at the latest (Article 139 of the LAP). • Work permits that are calculated towards a quota in which special examination procedure is not carried out may be issued within 25 days which is a shorter deadline than the one set out in Article 216 Paragraph 1 of the LAP which is 30 days. These are situations when the records of unemployed of the Service do not contain persons that are required by the employer for hiring of a foreign national. • In other cases in which special examination procedure is implemented, where the bodies are under the obligation to adopt the decision within 60 days - Article 216 Paragraph 2 of the LAP, the Procedure reduces the deadlines from 60 to 32 through 47 days, depending on whether the examination of records is performed on the level of the Cantonal Service only or on the level of both the Service and the Institute.