



THE RUSSIAN FEDERATION

GOVERNMENT OF THE RUSSIAN FEDERATION

**ORDINANCE
OF DECEMBER 30, 2002 NO. 941**

**ON PROCEDURE FOR THE ISSUANCE OF WORK PERMIT TO FOREIGN
CITIZENS AND STATELESS PERSONS**

In accordance with article 18 of the Federal Law "On the Legal Status of Foreign Citizens in the Russian Federation" (Collection of the legislation of the Russian Federation, 2002, N 30, art.3032) the Government of the Russian Federation has determined:

1. To adopt the attached Regulation on the issuance of work permit to foreign citizens and stateless persons.
2. The expenses of printing the forms of the work permit, to be issued to foreign citizens and stateless persons, shall be borne by the Ministry of internal affairs of the Russian Federation, and charged to the account of current expenses of the Ministry, as provided in the federal budget for the relevant year.
3. To allow the Ministry of Internal Affairs of the Russian Federation, until the forms of the work permit to be issued to foreign citizens and stateless persons are printed, to issue the work permit using the forms of confirmations of the right to work, prescribed by the Decree of the President of the Russian Federation of December 16, 1993 No 2146 "On Attraction and Use in the Russian Federation of Foreign Labour" (Collection of acts of the President and the Government of the Russian Federation, 1993, N 51, 4934).

To establish, that the confirmations of the right to work, issued to foreign citizens and stateless persons before adoption of this Ordinance, are valid until the expiration of their term.

4. The Ministry of Internal Affairs of the Russian Federation and other federal executive authorities shall amend their normative legal acts in order to conform to this Ordinance.

Chairman of the Government
of the Russian Federation
M.KASYANOV

Adopted
by the Ordinance of the Government
of the Russian Federation
of December 30, 2002 No. 941

REGULATION ON THE ISSUANCE OF WORK PERMIT TO FOREIGN CITIZENS AND STATELESS PERSONS

I. General provisions

1. This Regulation in accordance with article 18 of the Federal law "On the Legal Status of Foreign Citizens in the Russian Federation" (hereinafter referred to as "Law") determines the procedure for the issuance to foreign citizens and stateless persons (hereinafter referred to as "foreign citizens"), temporarily residing in the Russian Federation, of the work permit in the territory of the Russian Federation.

2. The work permit is the document evidencing the right of the foreign citizen to temporary performance in the territory of the Russian Federation of labour activity (hereinafter referred to as the foreign worker) or the right of a foreign citizen, registered in the Russian Federation as an individual entrepreneur, to performance of an entrepreneurial activity.

3. The work permit shall be issued to the foreign citizen who has reached the age of 18.

4. The foreign citizen may obtain the work permit, if he is registered in The Russian Federation as the individual entrepreneur and is going to perform entrepreneur activity without formation of a legal entity, or is attracted as a foreign worker by the employer or customer of works (services) under an employment contract or civil contract, within the limit of numbers provided in the permit to attract and use foreign workers for performance of labour in the territory of the Russian Federation.

5. The work permit is issued to the employer or customer of works (services) for each foreign worker, and also to the foreign citizen registered in the Russian Federation as an individual entrepreneur.

The work permit is issued under condition of depositing of funds by the employer or customer of works (services) as prescribed by law, in the amount necessary for departure of each foreign worker by the appropriate type of transport from the Russian Federation.

An employer or customer of works (services) may be the foreign citizen, registered in the Russian Federation as an individual entrepreneur.

II. Receipt and consideration of applications

6. Application for the issuance of work permit shall be submitted by the employer, customer of works (services), and foreign citizen registered in the Russian Federation as an individual entrepreneur (hereinafter referred to respectively as - "application", "applicant"), to a territorial body in charge of internal affairs.

7. In the application the following information shall be provided:

a) surname, name, patronymic and date of birth of the foreign citizen;

б) citizenship or state of permanent residence of the foreign citizen;

в) address of the place of permanent residence of the foreign citizen;

г) period of performance by the foreign citizen of labour or entrepreneurial activity;

д) information about the work permit (with presentation of the original) - for the foreign citizen, registered in the Russian Federation as the individual entrepreneur and acting as an employer or customer of works (services);

е) type of activity;

ж) place of work;

з) information on the employer or customer of works (services);

и) information about the permit to attract and use foreign workers (with presentation of the original) - for the employer or customer of works (services), including the foreign citizen registered in the

Russian Federation as an individual entrepreneur and acting as an employer or customer of works (services);

κ) information on conditions of attraction and use of the foreign worker or information on the planned entrepreneurial activity of the foreign citizen.

8. The application form shall be prescribed by the Ministry of Internal Affairs of the Russian Federation.

The application form shall be filled out in Russian, the use of the shortened words and abbreviations is not allowed. The information, provided in application, must be exhaustive.

9. The application shall be accompanied by a colour photo of the foreign citizen (size 30 x 40 mm) and the following documents:

a) a copy of the expert's acknowledgement (certificate) about the recognition of a document on professional training obtained by a foreign worker in a foreign state, or about the equivalence of such document to a Russian diploma on professional training (in case in accordance with the legislation of the Russian Federation or international agreement of the Russian Federation the presence of the said documents is required);

б) a copy of the certificate of registration of a foreign citizen in the Russian Federation as an individual entrepreneur;

в) a copy of the special permission to enter the territory, organization or installation included in the list, prescribed by the Ordinance of the Government of the Russian Federation of October 11, 2002 N 754 (Collection of the legislation of the Russian Federation, 2002, N 41, art. 3995).

10. At submission of application the applicant shall present a document of identity of the applicant, and a document of identity of the foreign worker (or its copy), which should have the period of validity of not less than 6 months.

11. Official documents, issued in the territory of foreign states, the copies of which are submitted for obtaining by foreign citizen of the work permit, must be legalized as prescribed by law in diplomatic representatives or consular offices of the Russian Federation abroad, except as otherwise provided by international agreements of the Russian Federation.

In case where documents are drawn in foreign language, the notarised translation to Russian must be attached. If copies of documents are submitted without presentation of the originals, they also must be notarised.

12. When the application is accepted for consideration, the correctness of execution of submitted documents shall be checked. The fact of check, and also the authenticity of signature of the applicant shall be evidenced on the face of the application form by the signature of an authorized official of territorial body in charge of internal affairs.

13. The application form shall be registered with placing a registration number on it.

An authorized official of territorial body in charge of internal affairs shall issue to the applicant the evidence of receipt of application for consideration.

14. A territorial body in charge of internal affairs shall check the information contained in the application and submitted documents, and according to the results of their consideration shall make a decision on issuance or denial of the work permit to a foreign citizen.

The separate decision shall be made in respect of each application.

A ground for the denial of issuance to a foreign citizen of the work permit is the presence in application and submitted documents of false or distorted information, and also the ascertainment of circumstances provided in paragraph 9 of article 18 of the Law.

15. The term of consideration of an application must not exceed 30 working days from the date of submission of application together with all necessary and duly executed documents.

16. A territorial body in charge of internal affairs must within 10-days from the date of making a decision to inform the applicant in writing about results of consideration of application, and in case of denial of the work permit to a foreign citizen - to state the reason of denial.

III. Issuance of the work permit

17. The issuance of work permit, and also its revocation shall be done by a territorial body in charge of internal affairs.

18. The work permit shall contain the information on the holder (surname, name, patronymic, date of birth, citizenship or state of permanent residence), information on the term of labour or entrepreneurial activity and if necessary - other information. The work permit shall bear a colour photo of the foreign citizen.

The work permit is issued on the form with the multilevel protection against forgery, and shall be a plastic card of standard size.

The blank form of the work permit shall be a document of strict accountability.

The form of the work permit shall be prescribed by the Ministry of Internal Affairs of the Russian Federation.

19. The work permit shall be signed by a head of territorial body in charge of internal affairs, which made the decision on issuance of the work permit, or another official, authorized by him, and certified by the seal of this body.

20. For the issuance of work permit the State Duty shall be levied, in the amount prescribed by Federal law.

21. The employer or customer of works (services), including a foreign citizen registered in the Russian Federation as an individual entrepreneur and acting as the employer or customer of works (services), must transfer the work permit to the foreign worker, to whom it was issued, prior to his commencement of labour in the territory of the Russian Federation.

22. In case of loss of the work permit the foreign citizen must apply within 10 days to a territorial body in charge of internal affairs for issuance of the duplicate, stating the circumstances of loss and submitting a colour photo.

Submission of any documents in this case it is not required.

After the investigation of circumstances of loss of the work permit, the duplicate shall be issued to the foreign citizen.

23. In cases provided in paragraph 9 of article 18 and paragraph 2 of article 32 of the Law, a territorial body in charge of internal affairs shall revoke an issued work permit, and within 3 days shall thereupon give notice to the foreign citizen and inform him about the necessity of departure from The Russian Federation. The work permit shall thereby be withdrawn.

24. A territorial body in charge of internal affairs shall keep record of the issued and revoked work permits and furnish appropriate information to the Ministry of Internal Affairs of the Russian Federation, as may be prescribed by law.

**THIS IS AN UNOFFICIAL TRANSLATION
FOR YOUR CONVENIENCE ONLY**

**NO WARRANTIES AS TO THE ACCURACY
OF TRANSLATION**

TO BE DISTRIBUTED FREE OF CHARGE