

Overview of changes implemented through the amendment to the Act on the Residence of Foreign Nationals effective as of 2 August 2021

ADMINISTRATIVE FEES

A new administrative fee of CZK 200 is now payable for applications made by EU citizens for a registration certificate (formerly "application for a confirmation of temporary residence"), for an application for a temporary residence permit for a family member of an EU citizen, an application for renewal of a residence card or renewal of a residence permit for a family member of an EU citizen and also for an application for a permanent residence permit for EU citizens and their family members. The fee of CZK 200 is also payable for an application for a change in the document on the residence of an EU citizen or their family member.

The administrative fees are paid using revenue stamps. However, it is impossible to pay the fee in cash or by card because the Ministry of the Interior's offices are not equipped with cash desks or card acceptance terminals.

HEALTH INSURANCE

OBLIGATION TO PROVE COMPREHENSIVE HEALTH INSURANCE COVER

Effective from 2 August 2021, the Act on the Residence of Foreign Nationals imposes an obligation on foreign nationals entering the Czech Republic and staying in its territory for more than ninety (90) days to take out travel medical insurance covering comprehensive health care within ninety (90) days of entering the Czech Republic. This obligation **does not apply to** foreign nationals covered by the Czech public health insurance scheme, or whose health care is covered under an international agreement, or who hold a valid EHIC and GHIC health insurance card. **Also, this obligation does not apply to EU citizens and their close family members** (see below).

For the coming five years from the law amendment's effectiveness (i.e., from 2 August 2021 to 2 August 2026), travel medical insurance covering comprehensive health care as required by the Act on the Residence of Foreign Nationals may be taken out exclusively with Pojišťovna VZP, a.s.

Consequently, the following conditions apply in the case of **commercial** travel medical insurance:

- 1) If an application for a long-term visa or long-term residence permit were submitted at the Czech Republic's representative office by or on 1 August 2021, it is possible to submit a document on travel medical insurance covering only the necessary and urgent care before the long-term visa (or a long-term visa for the purpose of receiving a residence permit) is indicated in the foreign national's passport. **Moreover**,
 - a) if a foreign national arrives in the Czech Republic by or on 1 August 2021, the obligation to contract comprehensive health insurance with Pojišťovna VZP, a.s. within ninety (90) days of entering the Czech Republic **does not apply**. The document on contracted travel medical insurance covering comprehensive health care will then be submitted first with the application for renewal of the residence authorisation or in the case of an application for a new residence authorisation.
 - b) if a foreign national arrives in the Czech Republic first on or after 2 August 2021, such a foreign national has an obligation to contract comprehensive health insurance with Pojišťovna VZP, a.s. within ninety (90) days of entering the Czech Republic. (It can also be contracted online).
- 2) If the application for a long-term visa or long-term residence permit is submitted to the Czech Republic's representative office on or after 2 August 2021, the document on travel medical

insurance must be submitted before the long-term visa (or long-term visa for the purpose of accepting residence permit) is indicated in the foreign national's passport, as follows:

- a) covering the necessary and urgent care for the first ninety (90) days of residence in the territory of the Czech Republic; for the remaining period of stay, they must also submit the document on comprehensive health insurance contracted with Pojišťovna VZP, a.s. (It can also be contracted online),
 - b) **or**, the foreign national may directly submit the document on comprehensive health insurance contracted with Pojišťovna VZP, a.s. for the entire period of permitted stay in the territory of the Czech Republic (The insurance can be contracted online). The document on contracted comprehensive travel medical insurance with another insurance company in the Czech Republic may only be submitted if the insurance contract was executed on 1 August 2021 at the latest.
- 3) Foreign nationals arriving in the Czech Republic on 1 August 2021 at the latest, or who have been residing in the Czech Republic based on a long-term visa or long-term residence permit and who have contracted travel medical insurance covering the necessary and urgent care in accordance with the legal regulation valid until 1 August 2021 or who have contracted comprehensive health insurance with another health insurance company than Pojišťovna VZP, a.s. **will not need to** enter into a new contract on comprehensive health insurance with Pojišťovna VZP, a.s. for the term of their existing residence authorisation. The document on travel medical insurance covering comprehensive health care contracted with Pojišťovna VZP, a.s. will then be submitted first with the application for renewal of their existing residence authorisation or in the case of an application for a new residence authorisation. The same applies to foreign nationals who are so-called extended family members of a citizen of the European Union or the United Kingdom (*see below*) and who have already been granted or should be granted a **temporary residence permit** in accordance with the legal regulation valid until 1 August 2021.
- 4) The applications for the long-term visa [s. 33(1)(c)], extended validity of the long-term visa and applications for issuance or extension of validity of the long-term residence permit submitted to the Ministry of the Interior in the territory of the Czech Republic on and after 2 August 2021 can only be accompanied with the following documents as the documents proving travel medical insurance:
- insurance contract on comprehensive health insurance entered into with Pojišťovna VZP, a.s.
 - insurance contract on comprehensive health insurance entered into with another insurance company active in the Czech Republic, yet only provided that the contract was executed on 1 August 2021 at the latest.

The same applies to foreign nationals who are so-called extended family members of a citizen of the European Union or the United Kingdom (*see below*) and apply for a **temporary residence permit** from 2 August 2021.

HEALTH INSURANCE OF A CHILD BORN IN THE TERRITORY OF THE CZECH REPUBLIC

The Act on Public Health Insurance has also been amended. Under the new regulation, a child born in the territory of the Czech Republic to a mother having a long-term residence permit is newly covered by public health insurance. However, such a child is insured under the public health insurance scheme only for a limited period, i.e., from the child's birth until the end of the calendar month when such a child becomes 60 days old. The insurance contributions are paid by the child's statutory representative (usually the child's parent). The health insurance company where the child's mother is registered must be notified of the child's birth within eight (8) days of the childbirth; if the child's mother is not covered by public insurance in the territory of the Czech Republic, the childbirth must be reported to the father's insurer. If the father does not have public insurance in the Czech Republic, the childbirth must be reported to VZP ČR.

More detailed information is available on the website of the Ministry of Health of the Czech Republic:

<https://www.mzcr.cz/od-2-8-2021-budou-novorozene-deti-cizincu-v-ceske-republice-povinne-pojisteny-ve-verejnem-systemu-zdravotniho-pojisteni/>

CONFIRMATION OF TEMPORARY RESIDENCE → REGISTRATION CERTIFICATE

The amended Act on the Residence of Foreign Nationals also introduces a change of the name of the document issued to EU citizens to certify that they are authorised to reside in the Czech Republic. EU citizens will now receive a registration certificate (instead of the previous “confirmation of temporary residence”), which will continue to be a document without biometric identifiers, valid for ten (10) years.



Effective from 2 August 2021, the previously issued confirmations of temporary residence are regarded as registration certificates and remain valid until their expiry date. Therefore, it is not necessary to renew them.

FAMILY MEMBER OF AN EU CITIZEN

CATEGORY OF FAMILY MEMBERS OF EU CITIZENS

The Act on the Residence of Foreign Nationals newly differentiates between family members of an EU citizen pursuant to s. 15a(1) and (2) (i.e., a **close** family member), and family members of an EU citizen pursuant to s. 15a (3) (i.e., an **extended** family member).

Section 15a

A family member of a citizen of the European Union

(1) For the purposes of this Act, a family member of a citizen of the European Union means his/her

- a) spouse,
- b) parent, if it is a citizen of the European Union under 21 years of age, who has such a child in actual custody,
- c) descendant under 21 years of age or descendant of the spouse of an EU citizen, and
- d) descendant or ancestor or descendant or ancestor of the spouse of a citizen of the European Union, who, as far as his/her basic needs are concerned, is dependent on support or other necessary care provided by an EU citizen or his/her spouse or was dependent on support or other necessary care in the state of his/her origin or in the state where he/she had residence authorisation immediately before entering the Czech Republic.

(2) A family member of a citizen of the European Union also includes a foreign national in a relationship specified in paragraph 1, letters a) to d) above to a citizen of the Czech Republic having permanent residence in the territory of the Czech Republic.

(3) A family member of a citizen of the European Union also includes a foreign national who

- a) is a relative of a citizen of the European Union or of a citizen of the Czech Republic having permanent residence in the territory of the Czech Republic, and
 1. in his/her country of origin, is supported by the above citizen of the European Union or citizen of the Czech Republic,
 2. in his/her country of origin, is a member of the household of the above citizen of the European Union or citizen of the Czech Republic, or
 3. whose serious health condition requires the personal care of the above citizen of the European Union or citizen of the Czech Republic, or
- b) is in a duly documented permanent partner relationship with a citizen of the European Union or citizen of the Czech Republic having permanent residence in the Czech Republic.

CHANGES IN DOCUMENTS

Effective from 2 August 2021, documents containing biometric identifiers will be issued to all citizens of third countries, i.e., also to family members of EU citizens. It means a residence card or a residence permit in the case of temporary residence of a family member of an EU citizen, or a permanent residence card or permanent residence permit in the case of permanent residence of a family member of an EU citizen.



Family members of EU citizens who are not citizens of the EU are required to exchange their existing documents for new biometric documents. All non-biometric documents will expire on 3 August 2023! The exchange of the current permits for new documents is performed free of charge.

We strongly recommend that the extended family members apply for the exchange of their existing documents by 31 August 2022 at the latest to maintain their status as close family members.

NEW REQUIREMENTS REGARDING APPLICATIONS

The requirements regarding the application submitted by foreign nationals in the category of close family members remain unchanged. They are still required to present a valid travel document, a photograph, a health insurance certificate, proof of accommodation, a document confirming that they are a family member of an EU citizen or proof of an EU citizen's authorised residence in the territory of the Czech Republic. Effective from 2 August 2021, so-called extended family members are required to submit a document confirming the total monthly income of the family after reunification and proof of travel medical insurance covering comprehensive health care for the entire duration of the family member's stay together with the application.

CITIZENS OF THE UNITED KINGDOM

The UK citizens who have the confirmation of temporary residence or permanent residence permit in the territory of the Czech Republic are required to exchange their current residence authorisation documents for new biometric documents. They must apply for new documents by 31 August 2022. The same obligation applies to family members of UK citizens who have authorised temporary or permanent residence in the territory of the Czech Republic; such persons are also required to exchange their current residence card or permanent residence permit by 31 August 2022.

The UK citizens who prove that they had residence authorisation for the territory of the Czech Republic up to and including 31 December 2020 can still apply for a registration certificate in the Czech Republic, i.e., they will continue to be governed by the provisions of the Act on the Residence of Foreign Nationals applying to EU citizens. Nevertheless, their registration certificate will be issued in the form of a biometric residence permit valid for five (5) years.