

## **An overview of changes introduced in consequence of the amendment to the Foreign Nationals Residence Act effective as of 2 August 2021**

### **ADMINISTRATIVE FEES**

A new fee of CZK 200 is now payable for an application made by an EU citizen for a registration certificate (formerly “confirmation of temporary residence”); the same fee is also payable 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 temporary residence permit for a family member and also for application for a permanent residence permit for an EU citizen and family member(s) thereof.

Administrative fees must be paid using revenue stamps. Payment in cash or by card is not possible because Ministry of the Interior offices are not equipped cash desk or card terminals that would make this possible.

### **HEALTH INSURANCE**

As of 2 August 2021, the Foreign Nationals Residence Act newly stipulates the obligation for foreign nationals entering the territory with the intention of staying more than 90 days in the Czech Republic to have travel insurance covering comprehensive health care. This obligation does not apply to foreign nationals covered by Czech public health insurance, or if their health insurance is paid for on the basis of an international agreement or if they hold a valid EHIC or GHIC health insurance card.

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

Another change to the Foreign Nationals Residence Act means that a child born in the territory of the Czech Republic to a mother with at least a long-term residence permit will automatically be covered by Czech public health insurance. Such a child shall be insured under Czech public health insurance only for a limited period ending when such child reaches the age of 60 days. The insurance premium may be paid by the child's legal guardian (usually the child's parent).

### **CONFIRMATION OF TEMPORARY RESIDENCE → REGISTRATION CERTIFICATE**

The amended the Foreign Nationals Residence Act also means a change of the title of the document proving that an EU citizen is authorised to reside in the Czech Republic. EU citizens will now be issued a registration certificate (instead of the hitherto “confirmation of temporary residence”) which will continue to be a document without biometric identifiers, valid for 10 years.



If you hold the old confirmation of temporary residence, as of 2 August 2021 this document shall be treated as a registration certificate and shall remain valid until its expiry date and therefore you are not required to renew it until the expiry date.

### **FAMILY MEMBER OF AN EU CITIZEN**

#### **CATEGORY: FAMILY MEMBERS OF EU CITIZENS**

The Foreign Nationals Residence Act newly differentiates between family members of an EU citizen pursuant to § 15a(1) and (2) (i.e. a close family member) and family members of an EU citizen pursuant to § 15a(3) (i.e. a distant family member).

## § 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 shall mean his/her
- a) spouse,
  - b) parent of a citizen of the European Union who under 21 years of age, who has such child in actual care,
  - c) descendant under 21 years of age of a European citizen or of the spouse of a European citizen, and
  - d) descent or ancestor of the spouse of a citizen of the European Union or of his/her spouse, who as far as his/her basic needs are concerned is dependent for support or other necessary care provided by an EU citizen or by his/her spouse, or was dependent for support or other necessary care in the state of his/her origin or in the state where he/she had residence authorization immediately before entering the Czech Republic
- (2) A family member of a citizen of the European Union also includes a foreign national who is a citizen of the Czech Republic with permanent residence in the territory of the Czech Republic in a relationship specified in paragraph 1, letters a) to d) above.
- (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 with permanent residence in the territory of the Czech Republic and
    1. in his/her country of origin, is supported by the aforementioned 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 aforementioned citizen of the European Union or citizen of the Czech Republic, or
    3. whose serious health condition requires the personal care of the aforementioned citizen of the European Union or citizen of the Czech Republic, or
  - b) is in a duly documented permanent partnership relationship with a citizen of the European Union or citizen of the Czech Republic.

## CHANGE IN DOCUMENTS

As of 2 August 2021, documents containing identifiers will be issued to all citizens of third countries, in other words also to family members of EU citizens. This 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 themselves are required to exchange their current permit for a new biometric permit. All non-biometric permits will expire on 3 August 2023! Your current permit will be exchanged for a biometric permit free of charge.

We firmly recommend that distant family members should apply for the exchange of their current permit by 31 August 2022 at very latest, because otherwise they could lose their status of close family members.

## NEW DOCUMENTS REQUIRED FOR APPLICATIONS

The documents required for applications by so-called 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 you are a family member of an EU citizen, potentially proof of authorised residence of the EU citizen in the territory of the Czech Republic. As of 2 August 2021, so-called distant family members shall be required to submit a document confirming the total monthly income of the family after reunification and a proof of travel health insurance for comprehensive health care for the entire duration of the family member's stay.

**BRITISH CITIZENS**

British citizens who hold a confirmation of temporary residence or who have permanent residence in the territory of the Czech shall be required to exchange their current residence authorisation document for a new biometric permit. British citizens are required to apply for replacement documents by 31 August 2022. The same obligation applies also for family members of British 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.

British citizens who can prove that they had residence authorisation for the territory of the Czech Republic up to and including 31 December 2020 will still be able to apply for a registration certificate in the Czech Republic, i.e. the provisions of the Foreign Nationals Residence Act applying to EU citizens will continue to apply to these British citizens mentioned above. Nevertheless, their registration certificate will be issued in the form of a biometric residence permit valid for 5 years.