

## **Information**

**on conditions for granting residence to third-country nationals for the purposes of study in the Slovak Republic, on certain obligations of third-country nationals and obligations of schools in the field of residence of aliens pursuant to Act No. 404/2011 Coll. on Residence of Aliens and Amendment and Supplementation of Certain Acts, as amended**

### **I. Legislation in the field of residence of aliens in the Slovak Republic**

Residence of aliens in the territory of the Slovak Republic is governed by Act No. 404/2011 Coll. on Residence of Aliens and Amendment and Supplementation of Certain Acts, as amended (hereinafter referred to as "Act No. 404/2011 Coll.").

Proceedings under Act No. 404/2011 Coll. is covered by Act No. 71/1967 Coll. on Administrative Proceedings (Administrative Code), as amended, unless otherwise provided in Act No. 404/2011 Coll. or as separate legislation (such as Regulation (EC) No. 562/2006 of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code), Regulation (EC) No. 810/2009 of the European Parliament and of the Council establishing a Community Code on Visas.

### **II. Conditions for granting a temporary stay to third-country nationals for the purpose of study**

- ❖ The police department shall grant temporary residence to a third-country national for the purpose of study, if there are no grounds for refusal of the application pursuant to Art. 33 par. 6, who is
  - a secondary school student,
  - a language school student,
  - a university student, or
  - participates in language courses or training for university studies, organized by a university in the Slovak Republic.
  
- ❖ Temporary stay for the purpose of study is granted for the estimated time of study, up to six years.

- ❖ A third-country national who has been granted temporary residence for the purpose of study, during the temporary stay
  - may do business under the provisions of the Commercial Code and Act No. 455/1991 Coll. on Trade Licensing (Trade Licensing Act), as amended,
  - may enter into an employment relationship to the extent and under the conditions laid down by Arts. 21 to 24 of Act No. 5/2004 Coll. on Employment Services and Amendment and Supplementation of Certain Acts, as amended (a university student can work in Slovakia if his performance for all employers does not exceed 10 hours a week or 20 hours a week, or the equivalent in days or months per year).
  
- ❖ Temporary stay for the purpose of study is not required within 90 days from the beginning of residence in the Slovak Republic, if a third-country national meets the conditions for residence under Article 5 of Regulation (EC) No. 562/2006 of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code), as amended and fulfils the reporting obligation under Art. 111 par. 2 letter a) of Act No. 404/2011 Coll. Reporting obligation of a third-country national is his duty upon arrival in the Slovak Republic to report the beginning of his stay within the Slovak Republic at the relevant police department (Foreign Police Department of the Police Force by place of residence) within three working days from the date of entry into the Slovak Republic.
  
- ❖ Application for a temporary residence for the purpose of study (hereinafter referred to as "the Application") shall be filed by the applicant in person
  - abroad at the embassy in the home country,
  - in the state in which he resides or
  - at the police department, if he is in the Slovak Republic legally.
  
- ❖ The representative office or police department shall issue confirmation of receipt to the applicant on the date of filing the application.
  
- ❖ The third-country national is required to submit a valid travel document as well as all particulars to the application stipulated by Act No. 404/2011 Coll., otherwise the application shall not be accepted by the representative office or police department.

- ❖ If the representative office or the police department does not accept the application, it shall provide the third-country national with information about which documents must be submitted with the application to accept it.
- ❖ Submission of an application does not entitle the applicant to reside in the territory of the Slovak Republic beyond the conditions laid down in Article 5 of the Schengen Borders Code.
- ❖ The third-country national shall file the application on an official form, which is available on the website of the Ministry of Interior of the Slovak Republic [http://www.minv.sk/swift\\_data/source/policia/hranicna\\_a\\_cudzinecka\\_policia/ocp/ziadosti/pobyt/udelenie\\_prechodneho\\_pobytu\\_2013.pdf](http://www.minv.sk/swift_data/source/policia/hranicna_a_cudzinecka_policia/ocp/ziadosti/pobyt/udelenie_prechodneho_pobytu_2013.pdf).
- ❖ The third-country national is obliged to enclose with the application
  - two photographs measuring 3 x 3.5 cm showing his current appearance, and
  - documents not older than 90 days, confirming
    1. purpose of stay,
    2. integrity (with the exception of an applicant for study at secondary school; the other exceptions are listed in Art. 32 par. 3) and
    3. financial coverage of the stay.
- ❖ The applicant for temporary residence for the purpose of study shall demonstrate the purpose of residence by confirmation issued by the competent authority of the state administration, school's confirmation on his admission or confirmation of the administrative organization that ensures programs approved by the Government of the Slovak Republic or the European union under contract with the competent authority of the state administration.
- ❖ Integrity of the third-country national shall be demonstrated by
  - Extract from the criminal record of the state of which he is a national, and
  - of the state in which he stayed for more than 90 days during six consecutive months in the last three years.

If such a record is not issued in this state, it may be replaced by an equivalent document issued by a competent judicial or administrative authority of the

country of origin, or it may be replaced by the applicant's affidavit before a competent judicial or administrative authority or a notary in the country of origin or last residence. Proof of integrity must prove the integrity on the whole territory of the country which issued the document, otherwise the police department will not accept such a document.

- ❖ Financial security of the applicant for temporary residence for the purpose of study shall be demonstrated by
  - acknowledgement of the balance in the bank account maintained in his name,
  - confirmation of the awarded scholarship,
  - confirmation of the statutory body or a legal entity to secure funds for the stay or
  - the affidavit of a person who provides funding to the applicant during his stay, accompanied by an acknowledgement of account balance. Financial coverage of the stay shall be demonstrated by the applicant in the level of subsistence minimum for each month of stay; if the length of stay exceeds one year, he must demonstrate financial coverage in the amount of twelve times the subsistence minimum.
  
- ❖ After granting a temporary residence permit for the purpose of study, the third-country national who has been granted a permit is obliged to hand over to the police department, within 30 days of receipt of the residential permit, a medical report certifying that he does not suffer from any disease that is a threat to public health, while
  - The medical statement must not be older than 30 days,
  - It is issued by a doctor with specialization in infectious diseases (infectology),
  - Failure to submit the medical opinion shall be considered a legal reason to cancel a temporary stay,
  - May not be submitted by a third-country national in case of change of type or purpose of stay.
  
- ❖ Medical facilities in the Slovak republic that issue a medical report confirming that the person does not suffer from any illness threatening public health,

### **1. Bratislava Self-Governing Region**

- Polyclinic of Exotic Diseases, ZAMA s.r.o., Americké námestie 3, 811 08 Bratislava
  - Institute of Vaccination and Travel Medicine – Inštitút očkovania a cestovnej medicíny s. r. o., Teslova 33, 821 02 Bratislava
- 2. Nitra Self-Governing Region**
- Infectious Diseases Clinic, Outpatient Department for Tropical Diseases at the University Hospital in Nitra, Špitálska 6, 949 01 Nitra.
- 3. Trenčín Self-Governing Region**
- Department of Infectology and Tropical Medicine of the company INF TROP-MED s. r. o., Nábrežná 5, 971 01 Prievidza.
- 4. Žilina Self-Government Region**
- Clinic of Infectology and Travel Medicine at the University Hospital in Martin, Kollárova2, 036 01 Martin
  - Institute of Vaccination and Travel Medicine – Inštitút očkovania a cestovnej medicíny s. r. o., ŽILPO s. r. o., Vysokoškolákov 31, 010 01 Žilina.
- 5. Košice Self-Governing Region**
- Clinic of Infectology and Travel Medicine at the University Hospital of L. Pasteur, Rastislavova 43, 040 01 Košice.
- 6. Banská Bystrica Self-Governing Region**
- Department of Travel Medicine at the Department of Infectious Diseases at the University Hospital of F.D. Roosevelt in Banská Bystrica, Cesta k nemocnici 1, 975 17 Banská Bystrica.

A list of medical facilities is available on the website of the Ministry of Interior of the Slovak Republic under *Documents for Download*.

<http://www.minv.sk/?vizova-info-typy-viz-1>

- ❖ The third-country national who applies for temporary residence for the purpose of study and who will attend university is not required to submit proof of accommodation in Slovakia within the application.
- ❖ If a third-country national fails to submit proof of accommodation in the Slovak Republic, the police department shall state as an address on the form a name of the municipality where the third-country national will reside (without giving full address).

- ❖ The reason for rejecting the application for temporary residence for the purpose of study (Art. 33 par. 6) can be:
  - ✓ the third-country national is an undesirable person (an alien who has an entry ban, who has been sentenced to expulsion, for whom an alert has been issued for the purposes of refusing entry, or if so stipulated by a special regulation),
  - ✓ there is a reasonable suspicion that a third-country national will endanger national security, public order or public health during his stay
  - ✓ third-country national fails to meet conditions for granting temporary residence,
  - ✓ the third-country national gives false or misleading information or submits false or forged documents or the documents of another person,
  - ✓ data in the travel document do not reflect reality,
  - ✓ granting of temporary residence is not in the public interest.
  
- ❖ The police department will decide on the application within 30 days of its receipt, together with all requirements established by the Aliens Act. This period may be extended in particularly complicated cases by the appeal body (the relevant Directorate of Border and Foreign Police) by not more than 30 days.
  
- ❖ If the police department accepts the application, it shall not issue a written decision and shall send a written notice to the third-country national that he was granted temporary residence, stating the date of granting temporary residence and expiry date.
  
- ❖ The decision on granting temporary residence can not be appealed.

### **III. Conditions for renewal of temporary stay to third-country nationals for the purpose of study**

- ❖ The police department may renew a temporary residence for the purpose of study for up to five years if the expected stay of a third-country national will take at least five years.

- ❖ The application for renewal of temporary residence for the purposes of study shall be submitted by the applicant on the official form and in person at the police department, no later than the last day of temporary residence.
  - ❖ The applicant shall attach to the application for renewal of temporary residence:
    - one photograph measuring 3 x 3.5 cm showing his current appearance, and
    - documents not older than 90 days, confirming
      1. purpose of stay, and
      2. financial coverage of the stay.
  - ❖ The police department will decide on the application for renewal of temporary residence for the purpose of study within 30 days of its receipt, together with all requirements established by the Aliens Act.
  - ❖ If the police department accepts the application for renewal of temporary residence for the purpose of study, it shall not issue a written decision and shall send a written notice to the third-country national that his temporary residence was renewed, stating the date of renewal of temporary residence and expiry date.
  - ❖ The decision on renewing temporary residence can not be appealed.
  - ❖ If during the procedure for renewal of temporary residence for the purpose of study the validity of temporary residence expires, temporary stay pending the decision on the application for renewal of the residence shall be considered eligible in the Slovak Republic.
- IV. Grounds for termination of temporary residence for the purpose of study (Art. 35)**
- ✓ the third-country national fails to enter the territory of the Slovak Republic within 180 days of the granting of temporary residence,
  - ✓ the third-country national shall notify the police department in writing about termination of the residence,
  - ✓ the third-country national's temporary residence has expired,

- ✓ the third-country national has been sentenced to expulsion,
- ✓ the third-country national has been deported,
- ✓ the third-country national has acquired another residence under Act No. 404/2011 Coll. or has been granted asylum or subsidiary protection (under Act No. 480/2002 Coll. on Asylum and Amendment and Supplementation of Certain Acts, as amended),
- ✓ the third-country national has acquired citizenship of the Slovak Republic,
- ✓ the police department cancelled temporary residence to a third-country national, or
- ✓ the third-country national has died or has been declared dead.

**V. Grounds for cancellation of temporary residence for the purpose of study (Art. 36)**

- ✓ disappearance of the purposes for which the temporary residence was granted to the third-country national,
  - ✓ the police department became aware of facts that justify refusal of the application for temporary residence pursuant to Art. 33 par. 6,
  - ✓ the third-country national failed to submit to the police department within 30 days of receipt of the certificate of temporary residence a medical report certifying that he does not suffer from any disease that might be considered a threat to public health, not older than 30 days (document under Art. 32 par. 10),
  - ✓ the third-country national continuously stays abroad for more than 180 days without sending a written notice to the police department
  - ✓ the third-country national seriously or repeatedly violated obligations under this Act (in this case, the police department is entitled to expel the third-country national from the territory of the Slovak Republic).
- ❖ A third country national who duly completes his studies at the university does not lose entitlement to residence in the Slovak Republic within 30 days of the duly completed study at the university. During this period, the police department shall not initiate proceedings to cancel the temporary residence for the purpose of study.



Thus, Act No. 404/2011 Coll. allows a third-country national, who is a successful graduate, to find a job or other assignment during this period in the Slovak Republic.

Note:

*According to Art. 65 of Act No. 131/2002 Coll. on Universities and Amendment and Supplementation of Certain Acts, as amended, the study ends properly by completing the study according to the study program, while the date of completion of the study is the day when the student meets the last condition prescribed for proper completion of the study program. A diploma of university degree and state examination certificate are proof of proper completion of study within the accredited study program and obtaining the academic degree.*

**VI. Obligations of a third-country national in relation to his residence in the Slovak Republic**

The obligations of a third-country national in relation to his residence are stipulated in Art. 111 of Act No. 404/2011 Coll.

The third-country national is required:

- ✓ to inform the police department in writing that he will be outside the territory of the Slovak Republic for more than 180 consecutive days, if he has been granted residence,
- ✓ indicate truly and completely all required information in accordance with this Act,
- ✓ At the request of a police officer to prove identity and eligibility for residence by valid travel document and proof of residence or identity card issued by the Ministry of Foreign Affairs to persons enjoying diplomatic privileges and immunities under international law,
- ✓ to conclude health insurance within three working days from the receipt of proof of residence and upon control of residence to demonstrate that he has valid health insurance in the territory of the Slovak Republic,
- ✓ upon control of residence, to demonstrate financial coverage of the residence not less than the subsistence minimum for each month of the remaining stay, but not more than one year in advance; minor third-country nationals are required to demonstrate the amount of half of the subsistence minimum for each month of the remaining stay, but not more than one year in advance,

- ✓ upon control of residence, to demonstrate funds needed to cover the costs of his residence in the Slovak Republic pursuant to Art. 6 for each day of the remaining stay if he has obtained a Schengen visa (see Article 5 par. 1 letter c) of the Schengen Borders Code),
- ✓ to report to the police department a change of name, surname, personal status, nationality, data in the travel document within five working days from the date of the change, and replacement of the travel document,
- ✓ to protect documents issued under this Act against loss, theft, damage or misuse,
- ✓ to report the loss, theft or damage of the travel document or documents issued under this Act to the police department within five working days from the date of learning about this fact,
- ✓ upon request to appear at the police department in connection with proceedings under this Act,
- ✓ at the request of the accommodation provider to submit a passport,
- ✓ to sign the completed official form of reporting residence, stating his name and surname, date and place of birth, nationality, place of residence, purpose of residence, passport number, visa number, address of residence in the Slovak Republic, name of the accommodation provider and names and surnames of children travelling with him, if applicable,
- ✓ provide the data necessary for the statistical survey on residence,
- ✓ to inform the police department within three working days that the purpose for which the residence was granted became redundant,
- ✓ at the request of the police department or the representative office to undergo biometric examination for the purposes of proceedings under this Act or a special regulation (e.g. Art. 4b of the Regulation (EC) No. 1030/2002, as amended, Art. 13 of the Regulation (EC) No. 810/2009, Agreement between the Slovak Republic and Ukraine on local border traffic (notification no. 441/2008 Coll.),
- ✓ to leave the territory of the Slovak Republic on the last day of authorized residence; if his application for a temporary residence submitted on the grounds of changing the purpose was rejected, application for renewal of temporary residence was rejected, his temporary residence was cancelled, application for permanent residence for an unlimited time was rejected, his permanent residence was cancelled, application for a tolerated stay was rejected, application for an extension of tolerated stay was rejected, or tolerated stay was cancelled, he shall be obliged to leave the territory of the Slovak Republic within 30 days of the enforcement of the decision, unless he is authorized to reside in the territory of the Slovak Republic for another reason,

- ✓ to request within five working days the issuance of a new residence permit, if the data provided does not correspond with reality, or in case of the loss, theft, damage or misuse of the previous residence permit,
  - ✓ to hand over to the police department invalid proof of residence or invalid document issued under this Act, or document of another alien found,
  - ✓ to inform the police department that he will be outside the place of residence for more than 30 consecutive days,
  - ✓ to inform the police department within five working days about any changes to data in the document pursuant to Art. 73 par. 17, first sentence of Act No. 404/2011 Coll.
- ❖ The third-country national shall, within three working days of the entry, inform the police department about
- date of entry, place and expected length of residence, if he was granted a Schengen visa or national visa or if he is not required to have a visa, and if the accommodation provider has no such obligation; the police department shall issue the certificate of residence at the request of the third-country national,
  - date of entry, if he was granted residence.
- ❖ The third-country national residing legally is obliged to report to the police department any change of place of residence within five working days from the date of the change.
- VII. Conditions for registration of residence of a Union citizen who studies in the territory of the Slovak Republic**
- ❖ Union citizens and their family members (regardless of nationality) have the right of free movement and residence within the territory of the Member States of the European Union pursuant to the European Parliament and Council Directive 2004/38/EC of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.

- ❖ Conditions of residence of Union citizens and their family members, given their specific position, are specified in a separate Title II of Act No. 404/2011 Coll. (Art. 63 to 72), which regulates the right of residence in the Slovak Republic.
- ❖ Residence of Union citizens and their accompanying family members shall be considered a permanent residence.
- ❖ The specific nature of residence of Union citizens and their family members in the Slovak Republic is based on the fact that the residence or the right of residence is not granted in the ordinary procedure as it is in case of foreigners – third-country nationals.
- ❖ Upon arrival in the Slovak Republic, the Union citizen and his family members are required to report the beginning of residence in the territory of the Slovak Republic to the relevant police department (Foreign Police Department of the Police Force according to place of residence) within ten working days from the date of entry into the Slovak Republic (reporting obligation).
- ❖ The Union citizen who intends to study in the Slovak Republic, while he stays in the Slovak Republic for more than three months, is entitled to residence according to Art. 65 par. 1, letter d) of Act No. 414/2011 Coll. (study at a primary school, secondary school or university in Slovakia). In this case, he shall be obliged to apply for registration of residence in the Slovak Republic (registration obligation).
- ❖ The application for registration of residence shall be submitted by the Union citizen on an official form personally at the police department within 30 days of the expiry of three months from the date of entry into the territory of the Slovak Republic. This means that the Union citizen can register his residence at any time during this period. If the Union citizen stays in the territory of the Slovak Republic for a period exceeding three months, he must register his residence within 30 days from the expiry of three months.

- ❖ Pursuant to Art. 66 par. 5 of Act No. 404/2011 Coll., the Union citizen who applies for registration of residence for the purpose of study (Art. 65 par. 1 Letter d) is required to submit within the application
  - valid identity card or valid travel document,
  - document proving that he is studying at primary school, secondary school or university in the Slovak Republic, and
  - affidavit that he has sufficient resources for himself and his family members in order to prevent him becoming a person in material need during the period of residence in the Slovak Republic.
  
- ❖ The Union citizen may demonstrate sufficiency of resources by cash, traveller's checks, credit cards, bank account statements, proof of property ownership, proof of receiving pension benefits or another authoritative document. The police department does not require from a citizen to demonstrate that during his residence he has at his disposal the amount that is higher than the amount of the subsistence minimum in the Slovak Republic. At present, the amount of subsistence minimum is set at 198.09 EUR/month.
  
- ❖ The police department is required to take into account the personal situation of the person in question, in examining whether the Union citizen has sufficient resources for himself and his family members in order to prevent him becoming a person in material need during the period of residence in the Slovak Republic.
  
- ❖ The police department assesses the submitted documents individually. If the submitted documents are not sufficient to demonstrate plausibly the facts related to the application of the Union citizen for registration, the police department shall not register this person and shall inform him in writing about the need to submit other documents for registration.
  
- ❖ On the date of submission of a complete application for registration, the police department shall issue to the Union citizen a certificate of registration of the Union citizen's residence, stating his name, surname, address of the registered person and date of registration.

- ❖ If the Union citizen fails to provide proof of accommodation (Art. 122) during registration of his stay, the police department shall indicate in the registration certificate the municipality, where the Union citizen will reside.
- ❖ If there is a reasonable doubt whether the Union citizen meets the conditions referred to in Art. 65 par. 1 and 3 of the Aliens Act, the police department can verify their fulfilment. Based on this, the Union citizen is obliged to submit evidence proving the fact on the basis of which he obtained or maintains a right of residence.
- ❖ The Union citizen who is studying in Slovakia, and whose right for residence has been registered by the police department, may apply to the police department for the issuance of proof of residence called "EU citizen residence card" valid for five years. This document shall be issued to the Union citizen within 30 days. For the issuance of the proof of residence the police department requires the submission of proof of accommodation (Art. 122) and two photographs measuring 3 x 3.5 cm showing his current appearance, otherwise the police department will not issue the proof of residence.

#### **VIII. Duties of the Union citizen and the family member of the Union citizen**

The duties of the Union citizen and the family member of the Union citizen in the area of residence are governed by Art. 112 of Act No. 404/2011 Coll.

- ❖ The Union citizen shall be obliged to:
  - ✓ provide all required data in a true and complete manner within the scope set out by this Act,
  - ✓ If the police department proceeds pursuant to Art. 64 par. 5 (control whether the Union citizen satisfies the conditions of the right of residence in the Slovak Republic for a period exceeding three months), the Union citizen shall present the evidence proving the fact on the basis of which he acquired or maintained the right of residence,

- ✓ report to the police department the change of his/her the name, surname, family status, nationality and data in the travel document or identity card within ten working days following the date the change occurred; and travel document or identity card change,
- ✓ protect the residence document issued pursuant to this Act against loss, theft, damage or misuse,
- ✓ report the loss, theft or damage of the travel document or residence document issued pursuant to this act to the police department within the period of ten working days following the date he/she becomes aware of the same, answer a call from the police department in connection with proceedings pursuant to this Act,
- ✓ undergo biometric data enrolment upon the request of the police department for the residence document to be issued, provide data necessary for statistical information about the residence,
- ✓ present a travel document upon the request of the accommodation provider,
- ✓ sign the filled-in official form on reporting the residence containing name and surname, date of birth, nationality, travel document or identity card number,
- ✓ apply within ten working days for the new residence document called "Residence Card of an EU Citizen" to be issued, if data recorded in this document fails to correspond to reality or if the loss, theft or damage of the travel document or residence document issued pursuant to Act No. 404/2011 Coll. was reported,
- ✓ depart from the territory of the Slovak Republic if right of residence of the third country national pursuant to Art. 64 par. 3 (within three months from the date of entry into the territory of the Slovak Republic) is forfeited or if his/her right of residence was terminated pursuant to Art. 68,
- ✓ hand over the residence document if its validity is terminated, if he/she was issued a new residence document due to the change of his/her the name, surname, family status, nationality and data in the travel document or identity card or travel document or identity card change, or his/her right of residence was terminated pursuant to Art. 68,
- ❖ notify of voluntary termination of the right of residence pursuant to Art. 65 or the right of permanent residence pursuant to Art. 67 and the country of departure.

A family member of the Union citizen shall be obliged to:

- ✓ appear at the police department for the new residence document to be issued not later than on the last day of "Residence Card of a family member of an EU citizen",

- ✓ provide all required data in a true and complete manner within the scope set out by this Act,
- ✓ if the police department proceeds pursuant to Art. 70 par. 6 (control whether the family member of the Union citizen satisfies the conditions of the right of residence in the Slovak Republic for a period exceeding three months), the family member of the Union citizen shall present the evidence proving the fact on the basis of which he acquired or maintained the right of residence, report to the police department the change of his/her the name, surname, family status, nationality and data in the travel document or identity card within ten working days following the date the change occurred; and travel document or identity card change,
- ✓ protect the residence document issued pursuant to this Act against loss, theft, damage or misuse,
- ✓ report the loss, theft or damage of the travel document or residence document issued pursuant to this act to the police department within the period of ten working days following the date he/she becomes aware of the same, answer from call of the police department in connection with proceedings pursuant to this Act,
- ✓ undergo biometric data enrolment upon the request of the police department for the residence document to be issued,
- ✓ provide data necessary for statistical information about the residence,
- ✓ present a travel document upon the request of the accommodation provider,
- ✓ sign the filled-in official form on reporting the residence containing name and surname, date of birth, nationality, travel document or identity card number,
- ✓ apply within ten working days for the new residence document called "Residence Card of a family member of an EU citizen" to be issued, if data recorded in this document fails to correspond with reality or if the loss, theft or damage of the travel document or residence document issued pursuant to Act No. 404/2011 Coll. was reported,
- ✓ depart from the territory of the Slovak Republic if right of residence of the third country national pursuant to Art. 69 par. 3 (within three months from the date of entry into the territory of the Slovak Republic) is forfeited or if his/her right of residence was terminated pursuant to Art. 72,
- ✓ hand over the residence document if its validity is terminated, if he/she was issued a new residence document due to the change of his/her the name, surname, family status, nationality and data in the travel document or identity card or travel document or identity card change, or his/her right of residence was terminated pursuant to Art. 72,



- ✓ notify of voluntary termination of the right of residence pursuant to Art. 70 or the right of permanent residence pursuant to Art. 71 and the country of departure.
- ❖ A family member of the Union citizen is obliged to submit an application for a residence document at the police department within 30 days of the expiry of three months from the date of entry into the territory of the Slovak Republic.
- ❖ A family member of the Union citizen demonstrates the right of residence in the territory of the Slovak Republic by a valid residence document called "Residence Card of a family member of an EU citizen" or is entitled to demonstrate this right by any other credible manner.

#### **IX. Duties of schools in the area of residence of foreigners**

The school where the third country national attends as a pupil, undergraduate or student, shall be obliged to notify the police department within three working days of the

- commencement,
- stop-out,
- giving up,
- expulsion from or
- completion of studies of the third country national with a temporary residence permit for purposes of study.

A school that fails to meet this obligation shall be guilty of an administrative offence related to the residence of aliens, for which the police department may impose a fine of up to 3,300 EUR.

#### **X. Territorial jurisdiction of the police department**

- ❖ The police department shall act in the matters related to the residence hereunder depending on the location of the residence or anticipated residence, unless stipulated otherwise by this Act or special regulation.

- ❖ In case of the third country national regularly commuting to school crossing the state border from a neighbouring state, the police department shall act depending on the location of the school.

#### **XI. Submission of applications and documents pursuant to Act No. 404/2011 Coll.**

- ❖ The alien shall be obliged to provide the applications and documents issued in foreign language
  - ✓ as an original or a certified copy,
  - ✓ officially translated into the state language or
  - ✓ officially translated into Czech language, where the representative office shall indicate compliance of the translation with the original document by certification clause of the representative office.
- ❖ the alien may also provide documents issued the or certified by the competent authorities of the Czech Republic in Czech language.
- ❖ Signatures of statutory declarations, powers of attorney, lease contracts and Notarial Deeds provided in proceedings hereunder shall be certified;  
(the same shall not apply if the power of attorney is declared in the records before the administrative authority or if it is a solemn declaration or authorization in deportation proceedings or in proceedings for seizure).
- ❖ Documents necessary in proceedings hereunder and issued by foreign state authorities shall include the super legalization clause, unless stipulated otherwise in the international treaty  
(Notice No. 213/2002 Coll. of the MZVEZ SR - Convention on Cancellation of the Requirement for super legalization of foreign public deeds, the so called Hague Convention on Apostille).
- ❖ Under the Hague Convention, documents issued in countries that acceded to this Convention shall be certified by Apostille. This means that the Apostille is the only verification that is required for the use of foreign public documents in the Slovak Republic. In each of these countries, there is designated a competent authority that carries out such verification. Competent authorities by country are listed on the website [www.hcch.nl](http://www.hcch.nl).

- ❖ Public documents issued in countries that are not included on this list, must be certified by a consular super legalization clause. Usually, the procedure is such that the instrument is first verified by the Ministry of Foreign Affairs of the country, followed by the Slovak Consulate in that country. If there is no Slovak Consulate in that country, the document shall be first verified by the Ministry of Foreign Affairs of the country, followed by the consulate of this country accredited for the Slovak Republic, and finally by the Ministry of Foreign and European Affairs of the Slovak Republic.

Some information on the verification of foreign public documents can be found on the website of the Ministry of Foreign and European Affairs of the Slovak Republic.

[https://www.mzv.sk/sk/cestovanie\\_a\\_konzularne\\_info/overovanie\\_dokladov-doklad\\_vydany\\_v\\_cudzine\\_na\\_pouzitie\\_v\\_sr](https://www.mzv.sk/sk/cestovanie_a_konzularne_info/overovanie_dokladov-doklad_vydany_v_cudzine_na_pouzitie_v_sr)

Associated regulations:

- Art. 23 of Act No. 382/2004 Coll. on Experts, Interpreters and Translators and on Amendment and Supplementation of Certain Acts,
- Art. 3 of Act No. 270/1995 Coll. on the State Language of the Slovak Republic, as amended,
- Art. 57 of Act No. 323/1992 on Notaries and Notarial Activities, as amended by Act No. 397/2000 Coll.

Current information on the residence of aliens in the territory of the Slovak Republic or appropriate official forms can be obtained on the website of the Ministry of Interior of the Slovak Republic [www.minv.sk](http://www.minv.sk), or at any Foreign Police Department of the Police Force.

The list of addresses of the Foreign Police Departments of the Police Force can be obtained on the website of the Ministry of Interior of the Slovak Republic at:

<http://www.minv.sk/?ocp-1>