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TEMPORARY RESIDENCE PERMITS FOR THIRD COUNTRY NATIONALS - EMPLOYEES AT INTERNATIONAL COMPANIES IN CYPRUS

ELIGIBLE COMPANIES

- 1) All companies of foreign interests, including international companies (ex-IBCs), should fulfil the following in order to be eligible to employ third country nationals in Cyprus:
 - a) Foreign Participation in Share Capital
 - i) The majority of the company's shareholders should be foreign shareholders and in the case of shareholders whose ultimate owners are foreign companies, they should be declared in order to be approved by the Civil Registry and Migration Department (CRMD). The following cases are exempted:
 - Public companies registered in any recognized Stock Exchange,
 - International companies (ex IBCs) that were operating before the change of regime and for which the Central Bank of Cyprus possesses all the necessary data,
 - ii) In case where the percentage of the foreign participation in the share capital of a company is equal or below the fifty percent (50%) of the total share capital, this percentage should represent an amount equal or higher than €171,000 in order for a company to be considered eligible. Applications by companies that deal with offering services or consulting services that invest capital lower than €171,000 will be examined given the fact that the nature of their work does not require a higher capital investment.
 - b) For new companies it should be proved by banking and other documents that the direct foreign capital investment amounts at least €171,000 and it was brought into Cyprus legally from abroad.
 - c) The companies should operate from self-contained offices in Cyprus. These offices should be located in suitable distinct premises, not part of private residence or another office, except in the case of companies that share lodging. Cases in which the nature of the work allows people to work from their home will be examined.
All the certificates/supporting documents required concerning the Company are mentioned in Appendix I.



APPENDIX I

A. CORPORATE DOCUMENTS REQUIRED

1. Company Corporate documents
2. Profile describing the nature of the company's business and details of its operations
3. List with the names, full addresses, passport numbers and nationality of the initial shareholders of the applying company. This is not required by companies registered in any recognized Stock Exchange and International Companies which were operating before the change of regime and for which the Central Bank of Cyprus possesses all necessary data
4. List of Company's personnel (applicants and employees).
5. Bank account with the amount of €41,006 or more
6. Domicile deed, title, lease agreement or contract of sale and purchase of the offices in Cyprus. If these documents are not available when the application is submitted, then they should be brought to the Civil Registry and Migration Department within three (3) months from the day of the application.
7. Deposited amount €170,860 or more which can be proved by banking and other documents. The direct foreign capital investment amounts at least €170,860 and it must have been brought into Cyprus legally from abroad.

In a case where the percentage of foreign participation in the share capital of a company is equal to or less than fifty percent (50%) of the total share capital, this percentage should represent an amount equal or higher than €170,860 in order for a company to be considered eligible. Applications by companies that offer services or consulting services which invest less capital than €170,860 will be examined as to whether the nature of their work does not require a higher capital investment.

B. If a Company has already applied for employment of third country nationals, all of the following documents should be submitted:

1. List of the company's personnel (applicants and employees)
2. Certificate of company tax clearance issued by the Inland Revenue Department
3. Audited financial movement of company's accounts for the previous year, and
4. An auditor's report for the company's viability



APPENDIX II

A. EXECUTIVE DIRECTORS / MIDDLE-MANAGEMENT STAFF / KEY PERSONNEL (see APPENDIX III for more details)

REGISTRATION AND FIRST TEMPORARY RESIDENCE PERMIT

Copy of valid passport or other travel document with validity of at least two (2) years from the date of the submission of the application.

Copy of the passport's or other travel document's page showing the latest arrival in the Republic and visa (if applicable)

List of Company's third country personnel per category [Directors and Middle Management Staff /Key Personnel]

Brief Curriculum Vitae (CV) (including copies of academic qualifications) Diploma certified by notary and translation in to the English.

Original letter of guarantee issued by a bank or cooperative institution in Cyprus with validity of 10 years covering possible repatriation expenses. The amount depends on the country of origin.

Original blood analysis results showing that the third country national does not bear/suffer from HIV, syphilis, hepatitis B and C and a chest x-rays for tuberculosis (TB) from a Government Hospital of the Republic or duly certified by a Government Doctor of the Republic of Cyprus

Original contract of employment dully signed and two (2) copies dully stamped

Title deed or rental agreement of a house/apartment dully certified by the relevant president of the community (Muktar)

Certificate of Health Insurance for medical care that covers inpatient and outpatient care and transportation of corpse (Plan A)

Employer's liability insurance with an automatic renewal

Original Certificate of Criminal Record from the country of origin (if the applicant resides in a country other than the country of origin, the certificate should be issued from the country of residence) Certified by notary with apostille and translation in to the English.



M70 (preapproval with invitation)

Copy of valid passport with validity of at least two years from the date of the submission of the application.

List of Company's third country personnel per category [Directors and Middle Management Staff /Key Personnel]

Brief Curriculum Vitae (CV) English (including copies of academic qualifications) Diploma certified by notary and translation into the English .

Original letter of guarantee issued by a bank or cooperative institution in Cyprus with validity of 10 years covering possible repatriation expenses. The amount depends on the country of origin.

Clear Criminal record, certified by notary with apostille and translation in to the English from country of origin.

Receipt of payment of the annual company fee to the Registrar of Companies

Authorisation for payment by bank transfer (FIMAS)

Original blood analysis showing that the third country national does not bear/suffer from HIV/syphilis, hepatitis B and C and chest x-rays for tuberculosis (TB) from the country of origin (medical conclusion (doctors certificate) have to be with apostille and notary certified with translation into English. The results of each analysis must be certified by notary with translation into English and have to be provide to us along with the certified copies)

M70 procedure after receiving all the necessary documents and applying them at the migration department takes about two weeks to get the invitation. After the invitation is issued the employee must visit Cyprus to finish the application within 3months (not later than that). After arrival with M70 in Cyprus

- **Copy of the passport page showing arrival to Cyprus;**
- **Signed Rental Agreement;**
- **Signed Employment Agreement;**
- **Certificate of Health Insurance for medical care that covers inpatient and outpatient care and transportation of corpse (Plan A)**
- **Original blood analysis results showing that the third country national does not bear/suffer from HIV, syphilis, hepatitis B and C and a chest x-rays for tuberculosis (TB) from a Government Hospital of the Republic or duly certified by a Government Doctor of the Republic of Cyprus after we receive the original analysis we can arrange them to be certified by doctor**

- a. **Bear a stamp from the Ministry of Foreign Affairs of the country of origin**
 - b. **Have the aforementioned stamp certified by the Diplomatic Mission of the country in the Republic or that is accredited in the Republic or**
 - c. **Have the aforementioned stamp certified by the Diplomatic Mission of the Republic in the country of origin or that is accredited in the country of origin)**
2. **Contract of employment stamped by Commissioner for Stamp Duty and thoroughly completed.**
 3. **For new companies: SEE APPENDIX I**



B. Required Documents for Family Reunification for Family Members of BCS Managerial and Mid - Managerial Staff

1. Valid residence permit of the sponsor in the Republic with residence address within an area controlled by the Government of the Republic
2. Certified copies of the sponsor's and family members' passports, valid for at least two years
3. Marriage Certificate (Official translation duly validated). The duration of the marriage must be at least one year prior to the application. In case that the marriage has been conducted five years or more before the application, there is no need for validation. The sponsor's spouse's minimum age is 21.
4. Children's Birth Certificates (Official translation duly validated). Children must be under 18 years old and not married.
5. Adoption decision from the Court (Official translation duly validated)
6. Custody decision from the Court (Official translation duly validated)
7. Criminal Record Certificate (if the applicant resides abroad, official translation duly validated). This does not apply for children less than 16 years old.
8. Certificate of medical examination results of family members (AIDS, Hepatitis B and C, Tuberculosis, Syphilis), (Official translation duly validated if the examination has been conducted abroad). The Mantoux Skin Test for Tuberculosis can be accepted for children less than 15 years old and can be performed at Hospitals' Pulmonary Clinics.
Medical examination results are not required for children who have been born in Cyprus and are under 6 years old. The Mantoux skin test is not required for applications for entry to Cyprus for the purpose of family reunification.
9. Title of ownership or rental agreement of the sponsor with receipts of rent payments and house/apartment description
10. Health Insurance Policy of the sponsor and family members
11. Stamped contract of employment of the sponsor, of open duration or for at least eighteen months
12. Income tax returns of the sponsor for all years
13. Statement of Social Insurance Contributions of the sponsor for all years
14. V.A.T. returns of the sponsor for all years, if applies (It is required in case that the sponsor is the only shareholder.)
15. Income declaration of the sponsor from sources other than employment (original documents and affidavit)
16. Bank accounts statements of the sponsor
17. Receipts of phone, electricity or water bills of the sponsor

Note: For renewal of Family Reunification permit, an application M61 is submitted and a permit is issued with the same duration as the permit of the sponsor or until the age of 18, in case of the children.



DETAILED EXPLANATIONS

A. EMPLOYEE CLASSIFICATION

Eligible companies which fulfil the above conditions may employ third country nationals in the following positions. Companies should not commit themselves to employing third country nationals for all the following positions before securing a Temporary Residence and Employment Permit from the CRMD. In case of violation of these rules, the CRMD is not committed by the following provisions.

a) Executive Directors

The term "Executive Directors" includes third country nationals registered as:

- Consulting Directors or Partners (in the Registrar of Companies)
- General Managers of branches and subsidiary foreign companies
- Departmental Managers

The maximum number of such executives is five (5) unless the CRMD is persuaded that a greater number is justified.

The minimum acceptable total annual salary (annual salary plus any additional allowances/benefits) for a newly appointed Executive Director is €41,000. This amount may be adjusted from time to time according to fluctuations in the salary index

There are no restrictions for the residence period of these employees. (Important notice)
All the certificates/supporting documents required concerning this category are mentioned in Appendix II.

b) Middle-management staff, executive staff and any other key personnel

This includes Directors who are not considered to be Executive Directors as well as other Executive/Middle-management staff or other managerial, clerical or technical personnel with an annual salary ranging from €21,000- €40,999. The amounts may be adjusted from time to time according to fluctuations in the salary index.

The maximum number of these employees permitted in this category is 10. The CRMD has the discrete authority to decide on the employment of more than 10 people in justified, and up to 5 managers 4000 salary, depending on each company's operation data. In the case that the total maximum number is exceeded, the company should justify the necessity of the employment of third country nationals, taking into consideration the payments as well as:

- i. The scope of the company's activities
- ii. The proportion of foreigners to Cypriots and
- iii. The duration of the company's operation

Important notice: There are no restrictions for the residence period of these employees.



All the certificates/supporting documents required concerning this category are mentioned in Appendix II.

c) Supporting Staff

All third country nationals employed in other professional, managerial, technical, clerical etc. positions in Cyprus and do not fall under the abovementioned categories (a) and (b), are classified as supporting staff.

Companies are expected to employ Cypriots or European citizens for this category. In case that there are not available or suitable Cypriots or European citizens with the required qualifications, a company may employ third country nationals in positions of this category. They must follow the procedure and submitting all the certificates/supporting documents described in Appendix III after an affirmative decision (stamp of contact) is issued by the Labour Department.

B. DULY CERTIFIED DOCUMENTS

Documents such as an original Certificate of Good Character, original Health Certificate, Marriage Certificate and Birth Certificate are required to be duly certified by the country of origin.

There are two ways to have a document duly certified.

- a) In the cases where the issuing country of the document has signed the 1961 Hague Convention, an Apostille (document of stamp) is sufficient.
- b) Otherwise, in order for the document to be accepted is required to:
 - i. Bear a stamp from the Ministry of Foreign Affairs of the issuing country.
 - ii. Have the aforementioned stamp certified by the Diplomatic Mission of the country in the Republic or that is accredited in the Republic **or**
 - iii. Have the aforementioned stamp certified by the Diplomatic Mission of the Republic in the country of origin or that is accredited in the country of origin.

Important Notice: Russia and Serbia are exempted from the procedure of certification. Documents from China may certified only from the Ministry of Justice and there is no need to do so through their Diplomatic Mission.