

## Tax & Legal Weekly Alert

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#### **Amendments made to the immigration law concerning the right to stay and work in Romania for non-EU/EEA/Swiss citizens**

Law no. 247/2018 for modifying and completing some normative acts regarding the regime of foreigners in Romania was published on November 7, 2018. The changes are in force starting November 2018 and cover the conditions to acquire residency and to work in Romania.



## Amendments made to the immigration law concerning the right to stay and work in Romania for non-EU/EEA/Swiss citizens

The main purpose of the law is to transpose the EC 2016/801 Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purpose of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing, for which Romania had as implementation deadline the year 2018.

Through the implementation of the Directive, new categories of foreigners are defined and regulated:

- Trainee – for the purpose of gaining new knowledge in a professional environment as per the training agreement
- Researcher – for the purpose of research and development in a scientific project approved by the Ministry of Research and Innovation
- Au pairs– for the purpose of carrying out light domestic work and childcare activities for a temporary period for a host family

The minimum salary threshold for foreign citizens working in Romania is reduced from the national average gross salary to the national minimum gross salary. In the case of highly skilled workers, the minimum salary threshold is reduced from four to two gross average salaries.

Other changes brought by the Law no. 247/2018:

- The liability of the host entities having legal agreements with foreign citizens to notify the immigration authorities
- The Governmental fees for issuing the work permits for employment/ assignment purposes are reduced by half
- The general conditions regarding the cancellation and revocation of the right to stay in Romania for foreigners admitted to Romania who are exempt from obtaining a visa are being clarified
- New contraventions are introduced, regarding the prevention of employees of the General Inspectorate for Immigration from exercising control at employers' headquarters or not making available requested documents.

For further questions regarding the aspects mentioned in this alert, please contact us.



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