



Upcoming changes in immigration registration rules for foreigners

Currently, immigration registration is regulated by Federal Law [No. 109-FZ "On immigration registration of foreign citizens and stateless persons in the Russian Federation"](#) of 18 July 2006 (hereinafter - "FZ 109"). It obligates the foreign citizens to register at the place of their stay in Russia, defining it as "... a place of residence, other than the place of permanent residence, and/or other premises (of a foundation or organisation), where a foreign citizen or a stateless person might be located."

The concept of the "place of stay" allows for multiple interpretations and there are no clarifications available from the state authorities. In practice, foreign citizens are allowed to be registered both at the address of their actual residence (e.g. a rented apartment) and at the address of the organisation being their host/inviting party.

In most cases, organisations/companies have the opportunity (and often are, in fact, obliged) to support all foreign citizens, for whom they act as inviting parties for invitation and/or visa purposes (for example, family members of foreign employees, business visa holders, etc.), providing immigration registration at their registered (legal) address

In July 2017, the Russian Constitutional Court ("the Court") requested that FZ 109 be amended to eliminate multiple interpretations. The Court also

clarified that if the relationship between a foreign citizen and the inviting party remains valid, the current regulation cannot force him to register at the address of his temporary residence. In other cases, unless otherwise noted, foreign citizens must register at the place of their actual residence.

Later on, the State Duma of the Russian Federation developed a draft law to amend FZ 109; in particular, it modifies the definitions of the "place of stay" and "host party". Unfortunately, the new wording provides no clear answer whether companies will be able to continue registering foreign nationals at their legal addresses. It is also unclear whether the changes will apply to all foreign citizens, or those with a work visa will still be able to register at the legal address of their employer.

These changes have been discussed for quite a while in the business community and by the public authorities; now, with a decision of the Constitutional Court in place, there is every reason to believe that a new procedure of immigration registration for foreigners will be introduced soon. However, for a more accurate understanding of the new rules, we need to see the draft law complete all stages of the legislative procedure first.

Deloitte's immigration specialists will keep you posted on how the situation with immigration registration of foreigners develops.



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