



The Ministry of the Interior of Russia has approved Methodical recommendations for the registration of foreign citizens at their place of stay

The Ministry of the Interior has published recommendations that can be treated as a guide to the procedure of migration registration for both the host party and for foreign citizens. This document also clarifies a number of contentious issues related to this procedure.

In particular, the state body explains the following:

- The obligation to register at the place of stay may be imposed on a foreign citizen himself/herself in case of the impossibility to submit a notification of arrival by the host party, and if the host party has valid reasons, which may be illness, physical impossibility, etc. Thus, earlier representatives of the Ministry commented on the fact that documentary confirmation in the absence of the host party within the territory of the Russian Federation may be a confirmation of consular registration abroad, a tourist voucher, a business trip certificate, and others. Thus, in certain cases, a foreign citizen can apply for registration on his/her own.
- In addition, the Ministry clarifies the list of documents necessary and sufficient for registration, and confirms that the failure to submit a migration card, along with a notification of arrival, is not a reason for refusal to register a foreign citizen at their place of residence.

- The authority clarifies that the host party has the right to submit a notification form on arrival, along with other documents submitted by a foreign citizen, to the territorial body of the Ministry of the Interior of Russia directly or send via a post office or through a multifunctional center for the provision of state and municipal services (MFC). At the same time, the methodological recommendations do not differentiate these methods of filing according to the list of documents, the results of the state service providing, etc. Thus, it is reasonable to draw a conclusion that the frequent refusals of post offices/MFC to register for a period of more than three months in practice are unjustified and can be disputed.
- It is explained that both individuals and legal entities can act as the host party, providing a foreign citizen with a residential or other premises for their actual residence, which in turn is provided to the host party in the possession and/or use on the basis of a civil contract of a lease, rent, etc., if the provisions of the contract fix the possibility of providing the premises to third parties. Therefore, the Ministry confirms that migration registration by the host party can also be obtained on the basis of the sublease agreement of residential and other premises. However, when choosing this option, it is recommended to further analyze the civil, administrative, tax and other risks of the employer when renting a dwelling for the purpose of temporary transfer to its employees-foreign citizens.

Thus and owing to the fact that the Ministry in these methodical recommendations gives some practical advice and clarifies a number of disputable moments, when applying for obtaining a foreign citizen's migration registration, it is recommended to be guided by this document, and, if necessary, to refer to its provisions.



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