

# United Migration Center of Moscow Region in Krasnogorsk. Peculiarities of obtaining patents

Moscow, December 30, 2015



#### Content

- 1. United Migration Center of Moscow Region in Krasnogorsk. Peculiarities of obtaining patents:
  - Where to apply for a patent
  - How to get the UMC (Krasnogorsk)
  - How to get the UMC by car:
- 2. Submission of documents for a patent
- 3. The first variant of submitting documents for a patent
- 4. The UMC service fees
- 5. Medical examination and dactyloscopy (fingerprinting) procedure
- 6. Obtaining certificate confirming knowledge of Russian language, history and law
- 7. Receiving a set of documents for further submitting to the UMC
- 8. Obtaining a patent
- 9. The second variant of applying for patent:
  - Obtaining a patent
- 10. The Personal income tax
- 11. Form of a patent
- 12. The period of validity of a patent
- 13. The procedure for extending the period of temporary stay of foreign citizens
- 14. Patent's renewal
- 15. FMS notifications
- 16. Foreign citizen's duties
- 17. Foreign citizen's work on the territory of two or more Russian territorial entities
- 18. Re-applying for a patent in case of refusal to issue a patent or its cancellation
- 19. The loss of a patent or its damage. Duplicate of a patent
- 20. Peculiarities of regulation of the labor market of foreign citizens working on the basis of a patent
- 21. The responsibility of a foreign citizen and an employer



Confidence Group is pleased to offer you the overview of the peculiarities of obtaining patents at United Migration Center of Moscow Region in Krasnogorsk.

In accordance with the Federal Law as of November 24, 2014 N 357-FZ "On Amendments to the Federal Law" On legal status of foreign citizens in Russia" and some legislative acts" the procedure of foreign labor hire of foreign citizens from visa-free countries was cordially changed in 2015. Thus, foreign citizens from visa-free countries are obliged to receive a patent for work.

Now foreign labor hire quota in Russia doesn't cover citizens from visa-free countries applying for patents as well as their employers.

# Where to apply for a patent

In order to obtain a patent for work in Moscow Region a foreign citizen shall apply to the United Migration Center (UMC) which is situated in business-park "Greenwood" (Krasnogorsk district, 69 km of MKAD, Bld. 5 and 6). The official website of the UMC: http://migrantcenter.ru. Call-center +7 495 755 9000.

## Working Schedule:

Work with individuals			
Weekday	Working hours		
Monday - Saturday	09:00 a.m 06:00 p.m.		
Sunday	Day off		
Work with legal enities			
Weekday	Working hours		
Monday - Friday	09:00 a.m 06:00 p.m.		
Saturday- Sunday	Day off		
United me	dical center		
Weekday	Working hours		
Monday - Friday	09:00 a.m 09:00 p.m.		
Saturday	09:00 a.m 08:00 p.m.		
Sunday	Day off		
Testing	g center		
Weekday	Working hours		
Monday - Friday	08:00 a.m 08:00 p.m.		
Saturday	09:00 a.m 08:00 p.m.		
Sunday	Day off		
Issue of documents for individuals			
Weekday	Working hours		
Monday - Friday	08:00 a.m 06:00 p.m.		
Saturday- Sunday	Day off		
Issue of documents for legal entities			
Weekday	Working hours		
Monday - Friday	08:00 a.m 06:00 p.m.		
Saturday- Sunday	Day off		

How to get the UMC (Krasnogorsk)



# You can get the UMC by public transport from:

• from the metro station Mitino: bus number 892;



- from the metro station Shodnenskaya: corporate bus «Greenwood» (for those who say directly that he/she is going to hotel Greenwood, the transportation is free);
- from the metro station Tushinskaja: minibus number 326 (15 minutes interval); the same place where the transport to Way-park and O'key shopping center is going, there is free of charge mini- bus to UMC.
- from the metro station Planernaya bus to UMC;
- from Khimki: from Khimki bus station- bus number 26 (20-40 minutes interval), minibus number 326 (15 minutes interval);
- from Krasnogorsk (Mayakovskaya Square): minibus number 26 (20-40 minutes interval).

## How to get the UMC by car:

Address: Moscow Region, Krasnogorsk district, p / o Putilkovo, 69 km MKAD, business-park "Greenwood", buildings 5 and 6.





# Submission of documents for a patent

There are two variants of obtaining a patent. The first variant is the personal presence of a foreign citizen at all stages of submission and receipt of the documents. The second variant is submission of documents at some stages by a representative of a legal entity (e.g., an employer).

Confidence Group offers you the overview of these two variants of obtaining a patent in Moscow Region.

# The first variant of submitting documents for a patent

A common line to the entry is the first step for application of a foreign citizen to the UMC.



As soon as a foreign citizen enters UMC he/she submits the following documents:

- 1. passport;
- 2. migration card (original, with the purpose of visit as "work";
- 3. notification on migration registration;
- 4. copy of personal tax number of a foreign citizen



After the all the documents are submitted a foreign citizen informs UMC about the place of labor activity: individual or a legal entity. After that a foreign citizen shall pay UMC services fees, pass medical examination and testing on knowledge of Russian language, history and laws of Russia if necessary.

#### The UMC service fees

The following services are offered by the UMC while applying for a patent:

No	Service	Price (RUR)
1	Preparation of electronic and paper-based documents for further	4,500
	applying for state services on registration and issuance of patent	
2	Voluntary health insurance policy valid up to 1 year	3,200
	(Rosgosstrakh)	
3	Testing on knowledge of Russian language, history and law	4,900
4	Translation and notary registration of a passport	from 1,000
5	Medical examination	3,300
6	Personal income tax payment for the first month of work	4,000

Thus, the cost of full service is 21,300 RUR (though the sum of all services is 20,900, the cost of complex service is finally 21,300, exactly this sum of money you will have to pay)

The minimum cost of the UMC services is 20,900 RUR, not including bank fees.

The full list of UMC services is available here. A foreign citizen can pay for these services at bank terminals which are located at the UMC territory. Please note that there is a commission for any payment in the terminal.

The complex service is available by previous appointment. The telephone number to make such an appointment is 8-495-755-90-00.

After making payments a foreign citizen is offered to pass medical examination and testing on knowledge of Russian language, history and law.

## Medical examination and dactyloscopy (fingerprinting) procedure

The medical examination is carried out in the building 5, entrance 2, "Medical center".



At the entrance to the Medical center security employees inspect a foreign citizen and then a foreign citizen is offered to stay in a line going directly to the building of the Medical center.

It is necessary to pass dactyloscopy (fingerprinting) procedure before passing medical examination.

Dactyloscopy (fingerprinting) procedure is carried out even if a foreign citizen has fingerprint card.

A foreign citizen can go through medical examination also in one of the below organizations, approved by the Decree of the Government of Moscow region as of March 13, 2015 N 130/9:

№	Name of organization	Address
1	United migration center Ltd.	Moscow region, Krasnogorsk district, p / o Putilkovo, 69 km MKAD, BP "Greenwood", building 33
2	Federal Budget Health Institution- Center of Hygiene and Epidemiology in Moscow Oblast	Moscow region, Krasnogorsk district, p / o Putilkovo, 69 km MKAD, BP "Greenwood", building 33
3	Municipal Budget Health Institution-Domodedovo central hospital	Moscow region, Domodedovo, microdistrict Centralniy, Pirogova str., 9
4	Municipal Health Institution "Krasnogorskiy Hospital № 3	Moscow region, Krasnogorsk, Rechnaya str., 27
5	Federal Budget Health Institution- Podolskaya Polyclinic №1	Moscow region, Podolsk district, Podolsk, Kirova str., 27

## Obtaining certificate confirming knowledge of Russian language, history and law

After medical examination a foreign citizen is offered to go through testing on the knowledge of Russian language, history and law procedure in the Testing Center which is also situated in building 5, rooms 302, 303, 304. Telephone for consultations: +7 495 974 2021.



In accordance with the Federal Law of Russia as of April 20, 2014 N 74-FZ "On Amending the Federal Law "On the legal status of foreign citizens in Russia" starting from January, 1, 2015, foreign citizens must confirm their knowledge of the Russian language, history and laws of Russia while applying for a patent.

A foreign citizen is not obliged to confirm the knowledge of the Russian language, history and laws of Russia in case he/she got document on education of state-approved format (secondary, higher), issued before September 01, 1991 by an educational institution, situated in a one of the former USSR republics or after September 01, 1991 on the territory of Russia. It is necessary to provide an original of the above document while applying for a patent.

In all other cases it is necessary to pass testing and get the appropriate certificate.

Testing Center of the UMC is operated by the Pushkin State University of the Russian language.

A foreign citizen is offered to go to the computer and answer the questions of the test on the knowledge of Russian language, history and law. This basic test consists of 7 parts .A foreign citizen is offered to answer orally or using touch-screens. Test is considered to be accomplished successfully if each part of the test is successfully passed. Test is considered to be passed if a foreign citizen provides corrects answers at least on 60% questions of each part and at least 50% questions of the test on the history and legislation of Russia.

It is forbidden to speak or use mobile phone while passing the test. Only pen and earphones are allowed to be on the desk.

Before the beginning of each part of the text on the screen appears the "Start Test", in order to start the test press this bottom

The test consists of 7 parts:

- Speaking (orally) 10 minutes
- Listening comprehension 15 minutes
- Reading 15 minutes
- Grammar 15 minutes
- Russian history 15 minutes
- Russian law 15 minutes

#### Center of testing working schedule

Working days	Working hours
Monday - Friday	08:00 a.m 8:00 p.m.
Saturday	09:00 a.m 8:00 p.m.
Sunday	Day off

Preliminary appointment for testing is needed. The cost of the testing is 4,900 RUR.

From 70 to 80% of foreign citizens are not experiencing any problems passing this test. For others the UMC offers preparation course to the test.



If a foreign citizen isn't sure that the test will be successfully passed, Confidence Group strongly recommends to use preparation courses.

The cost of Two-hours preparation course is 2,000 RUR. The preparation is carried out immediately prior to test.

In case of failing to pass testing a foreign citizen is offered to pass the test once again. Re-passing of test is carried out at the general schedule. If one out of five parts of the test on Russian language (speaking, listening comprehension, reading, grammar, writing) or one out of five parts of test on Russian language and Russian history and / or law, the cost of re-testing is 2,500 RUR. Re-passing of test is carried out only on the failed parts.

If two or more parts of the test on Russian language (speaking, listening comprehension, reading, grammar, writing) are failed, the cost of re-testing is 4,900 RUR. In this case re-passing of test is carried out on all the parts once again.

Confidence Group recommends to sign up for the test beforehand so that the first submission of documents will be held on the same day with passing medical examination, dactyloscopy (fingerprinting) procedure and testing on the knowledge of the Russian language, history and laws of Russia.

## Receiving a set of documents for further submitting to the UMC

After passing medical examination and successful passing testing a foreign citizen is offered to visit the UMC in 5 working days for appropriate results and collect the full set of documents necessary for obtaining a patent.

Documents department which is located in building 5 on the 3 floor (separate entrance from the side of guest parking) issues the following documents:

- medical certificate and HIV certificate (within 5 working days after medical examination; duplicates also may be issued);
- certificate of knowledge of Russian language, history and law;
- notary registered translation (5 days after the payment for service).

The UMC offers voluntary health insurance policies for 12 months. The cost is 3200 RUR.

The UMC also offers policies for other periods. The cost of them is specified below:

Age of an applicant	1 year	9 month	6 month	3 month
children under 3	6,400	5,440	4,480	2,560
years				
from 4 to 16 years	4,800	4,080	3,360	1,920
17-59 years	3,200	2,720	2,240	1,280
60-64 years	4,800	4,080	3,360	1,920
65-69 years	6,400	5,440	4,480	2,560
70-75 years	8,000	6,800	5,600	3,200
76-79 years	11,200	9,520	7,840	4,480
from 80 years	16,000	13,600	11,200	6,400



Standard time spent in a line may reach few hours.



Certain groups of foreign citizens are separated from the common line by security officers who lead them to the place of issuance of documents, entry №13.



After all the documents are collected a foreign citizen is offered to stay again in a common queue to enter UMC that starts from a bus stop, along the underground garage, directly to the entrance to the UMC. Certain groups of foreign citizens are separated from the common line by security officers who lead them directly to the UMC.

Standard time spent in a line may reach few hours.

A foreign citizen is offered to visit the UMC in 10 working days for collecting a patent but not earlier he/ she receives the SMS confirmation.



## **Obtaining a patent**

A foreign citizen can apply the UMC for a ready patent after receiving SMS confirmation.

Obtaining a patent is carried out at the UMC building, entrance №3. It is necessary to stay in a common queue to enter UMC that starts from a bus stop, along the underground garage, directly to the entrance to the UMC. It can take several hours to enter UMC.

# The second variant of applying for patent

The second variant of applying for patent assumes submission of documents at some stages by a representative of a legal entity (e.g., an employer).

For this a legal entity must conclude once a contract with the UMC for providing the following services:

- 1. notary registered translation of the first page of a passport of a foreign citizen;
- 2. medical examination on the absence of drug addiction and certain infectious diseases and HIV certificate;
- 3. voluntary health insurance policy;
- 4. certificate of knowledge of Russian language, history and law;
- 5. filling documents for applying and obtaining a patent;
- 6. filling receipt for payment of fixed advance payment.

After concluding a contract and paying for the UMC services a representative of legal entity can submit documents and receive the coupons for medical examination, dactyloscopy (fingerprinting) procedure and testing on the knowledge of the Russian language, history and laws of Russia.

Representative of legal entity may submit documents for several foreign citizens by attorney.

Foreign citizens who suppose to apply for a patent with the help of the legal entity must personally visit Medical and testing centers in UMC.

The procedures of medical examination and testing on knowledge of Russian language, history and law don't differ from the same procedures described in the first variant of obtaining a patent.

A representative of a legal entity visits the UMC once again in 5-6 working days after successfully passing of medical examination and testing by a foreign citizen and receives the following documents:

- 1. medical examination on the absence of drug addiction and certain infectious diseases;
- 2. HIV certificate:
- 3. certificate of knowledge of Russian language, history and law;
- 4. notary registered translation of the first page of a passport of a foreign citizen;
- 5. voluntary health insurance policy;
- 6. filled application for a patent.

In order to obtain the corresponding set of documents representative of legal entity needs to pass on the second floor of the UMC and stay in line, which is much less than the one where foreign citizens receive the documents in person. On October 19, 2015 the issue of the medical certificates, translation of passports and



certificates on passed exams to representatives of accredited organizations is carried out in the window 251 on the 2nd floor of the UMC.

As soon as the full set of documents is collected a representative of an employee applies for a patent in window 202.

A foreign citizen is offered to visit in person the UMC in 10 working days for collecting a patent but not earlier he/she receives SMS confirmation.

The cost of a patent obtained with the help of a representative of a legal entity is 20,800 RUR, including the following services (the cost individually, the full payment will be exactly 20,800 RUR in case of full complex of services):

No	Service	Price (RUR)
1	Preparation of electronic and paper-based documents for further	4,500
	applying for state services on registration and issuance of patent	
2	Voluntary health insurance policy valid up to 1 year	3,200
	(Rosgosstrakh)	
3	Testing on knowledge of Russian language, history and Russian	4,900
	laws	
4	Translation and notary registration of a passport	from 1,000
5	Medical examination	3,300
6	Personal income tax payment for the first month of work	4,000

Thus, obtaining a patent with the help of a legal entity reduces the number of visits of foreign citizens to the UMC, but does not exempt them from passing medical examination and testing on knowledge of the Russian language, history and laws, as well as from personal obtaining a patent in UMC.

#### Obtaining a patent

A foreign citizen can apply the UMC for a ready patent after receiving SMS confirmation.

Obtaining a patent is carried out at the UMC building. Certain groups of foreign citizens are separated from the common line by security officers who lead them directly to the UMC. Standard time spent in a line may reach several hours.

## The order of personal income tax counting and payment

Foreign citizens from visa-free countries supposing to work in Russia are obliged to pay fixed advance payments on personal income tax at the rate of 13%.

In Moscow Region the amount of fixed advance payment per month is equal to 4,000 RUR

The name of payment must be - fixed advance payment on personal income tax.

Fixed advance payments on personal income tax can be paid in the UMC. Please note that there is a commission for any payment in the terminal.



The total amount of the estimated tax payment may be reduced by the amount of fixed advance payment made for the period of validity of the patent. The decrease of the estimated tax payment is made in a tax period by one tax agent at the choice of the taxpayer. An employer as a tax agent should receive a notification on confirmation of the right to decrease tax payment from the tax authority. An employee should make an application for receiving this notification.

Full information about personal income tax is available here.

# Form of a patent

In accordance with the FMS Order as of December 8, 2014 N 638 a patent for work for an individual (Russian citizen) is issued on the red blank, a patent for work for a legal entity or individual entrepreneur is issued on the blue blank.

## The period of validity of a patent

The period of validity of a patent is from 1 to 12 months.

It can be renewed once for the period from 1 to 12 months. But the total period of validity including its extension can't exceed 12 month from the date of issuing a patent.

The period of validity of a patent is considered to be continued for the period for which fixed advance payment on personal income tax is paid. In this case there is no need to apply to UMC or FMS.

Otherwise, the period of validity of a patent is terminated from the day following the last day of the period for which fixed advance payment on personal income tax was paid.

#### The procedure for extending the period of temporary stay of foreign citizens

In accordance with the Order of the Federal Migration Service of Russia as of 15.12.2014 N 655 a foreign citizen must extend the period of its temporary stay in Russia.

In order to extend the period of temporary stay in Russia, a foreign citizen should apply to the territorial FMSD at the place of migration registration. This application must be submitted not later than 7 working days before the expiry of the current allowed term of temporary stay. The extension of temporary stay should be done together with migration registration extension.

The extension of temporary stay is carried out for the period of validity of paid receipts on personal income tax. The period of temporary stay can be extended up to one year.

Please note that the extension of temporary stay of family members on the basis of a patent obtained directly by a working foreign citizen is not carried out. For the legal stay in Russia adult family members are offered to go through procedure of obtaining a patent.

# Patent's renewal

The law provides the possibility of renewal of a patent. In that case a foreign citizen shall apply to the UMC not earlier then 2 months and not later than 15 working days before the expiry of 12 months from the date of the patent issuance. A foreign citizen shall provide the following documents:



- 1. application form for the renewal of a patent (the form is available <u>here</u>);
- 2. an identity document of a foreign citizen;
- 3. migration card with the purpose of visit as "Work";
- 4. document confirming the payment of fixed advance payments for the period of the patent;
- 5. contract (policy) of voluntary medical insurance;
- 6. medical examination on absence of drug addiction and certain infectious diseases;
- 7. HIV certificate;
- 8. certificate of knowledge of Russian language, history and law;
- 9. employer's application on reissuing of a patent;
- 10. copy of labor or civil contract.

The period of renewal of a patent is 13-15 working days from the date of receiving the corresponding application. Renewed patent is issued to a foreign citizen personally while providing the following documents:

- identity document;
- document confirming the payment of fixed advance payments for the period of validity of reissued patent.

Please note it is recommended to specify the information in MMC on documents required for obtaining a patent.

The period of validity of renewed patent is from 1 to 12 months. But the total period of validity including its extension can't exceed 12 month from the date of renewal of a patent.

The period of validity of renewed patent is considered to be continued for the period for which fixed advance payment on personal income tax was paid. In that case a foreign citizen shouldn't contact FMS.

Otherwise, the period of validity of renewed patent is terminated from the day following the last day of the period for which fixed advance payment on personal income tax was paid.

#### **FMS** notifications

A foreign citizen is also obliged to send to the territorial FMS a copy of labor contract within 2 months of the date of receiving a patent via post with notification of delivery or provide it personally.

An employer is obliged to notify territorial FMS on conclusion and termination of labor contracts or civil contracts. The term of notification is 3 working days from the date of conclusion/ termination of a contract.

- Notification form for a conclusion of a labor contract with a foreign citizen is available here;
- Notification form for a termination of the labor contract with a foreign citizen is available here.

# Foreign citizen's duties

If a foreign citizen changes surname, name, patronymic name or passport number, a foreign citizen must apply to the territorial FMS to correct the patent. The corresponding application must be submitted within 7 working days:

• from the date of entry (in case of changes in surname, name, patronymic name or passport number outside Russia);



• from the date of changes in surname, name, patronymic name or passport number on the Russian territory.

A foreign citizen has the right to work only on the territorial entity of Russia where a patent was issued.

If the patent contains information about profession, a foreign citizen will have the right to work only on this position.

# Foreign citizen's work on the territory of two or more Russian territorial entities

A foreign citizen has no right to work out of the territory where a patent was issued.

For working on the territory of two or more Russian territorial entities a foreign citizen should contact territorial FMS or Migration Center where he is planning to work. There is no 30-day term of doing this after entering on the Russian territory. A foreign citizen should personally provide the following documents:

- 1. application for a patent (the form is available here);
- 2. document confirming the payment of fixed advance payment on personal income tax
- 3. an identity document of a foreign citizen;
- 4. contract (policy) of voluntary medical insurance or contract for the provision of paid medical services;
- 5. documents confirming the absence of drug addiction and certain infectious diseases;
- 6. HIV certificate.

The period of issuing such a patent is no more than 10 working days from the date of receiving the corresponding application. The period of validity of such a patent can't exceed the period of validity of previously issued patent.

#### Re-applying for a patent in case of refusal to issue a patent or its cancellation

In case a foreign citizen was denied to issue or to renew a patent or previously issued patent was cancelled, a foreign citizen has the right to apply for a patent once again not earlier than 1 year from the date of refusal to issue or renew the patent or the cancellation of the previous patent.

#### The loss of a patent or its damage. Duplicate of a patent

In case of loss or damage of a patent a foreign citizen may apply to the territorial FMS which issued a patent for its duplicate.

A foreign citizen shall personally provide the following documents for obtaining a duplicate of a patent:

- 1. application for a duplicate (the form is available here);
- 2. an identity document of a foreign citizen;
- 3. migration card with the purpose of visit as "Work";
- 4. documents confirming the payment of fixed advance payments for the period of validity of lost or damaged patent.

The period of issuing such a duplicate is no more than 3 working days from the date of receiving the corresponding application.



# Peculiarities of regulation of the labor market of foreign citizens working on the basis of a patent

The Federal Law as of December 01, 2014 №409-FZ amended regulation of the labor market of foreign citizens. The new law stipulates that the rules established by the labor legislation and other acts containing norms of labor law subject to foreign citizens in case of their employment.

Foreign citizens have the right to work after they reach the age of 18 years. A labor contract for an indefinite period must be concluded between a foreign citizen and an employer. The conclusion of a fixed-term contract is permitted only on general grounds stipulated in the Labor Code of Russia.

A labor contract with a foreign citizen must contain information about a patent. A patent should also be presented with general set of documents while hiring. Expiration of period of validity of a patent is the basis for termination of a labor contract (after 1 month from the date of expiration of the patent).

Detailed information on the latest changes related to work implementation of foreign citizens in the Labor Code is available here.

## The responsibility of a foreign citizen and an employer

The Administrative Code of Russia regulates administrative responsibility for the following violations of migration legislation:

- 1) work out of the territorial entity of Russia where work permit/patent/temporary residence permit was issued
  - fines for a foreign citizen from 5,000 RUR to 7,000 RUR;
- 2) violation of the terms of applying for making changes in information contained in work permit/patent by a foreign citizen from visa-free country:
  - fines for a foreign citizen from 4,000 RUR to 5,000 RUR;

We would like to remind you that if a foreign citizen changes surname, name, patronymic name or passport number, a foreign citizen must contact the territorial FMS to change the information contained in a patent.

The corresponding application (the form is available here) must be submitted within 7 working days:

- from the date of entry (in case of changes in surname, name, patronymic name or passport number out of Russia);
- from the date of changes in surname, name, patronymic name or passport number on territory of Russia.
- 3) the hire of a foreign citizen out of the territorial entity of Russia where work permit/patent/temporary residence permit was received by a foreign citizen:
  - fines for a foreign citizen from 5,000 RUR to 7,000 RUR;
  - fines for officials from 35,000 RUR to 70,000 RUR;
  - fines for legal entities from 400,000 RUR to 1,000,000 RUR.



- 4) failure or violation of the standard procedure and (or) notification form of the territorial FMS on the conclusion or termination of labor contract with a foreign citizen within 3 working days from the date of conclusion/termination:
  - fines for officials from 35,000 RUR to 70,000 RUR;
  - fines for legal entities from 400,000 RUR to 1,000,000 RUR.
- 5) violation of the terms of applying for a patent:
  - fines for a foreign citizen from 10,000 RUR to 15,000 RUR.

For additional information please contact consultants of Confidence Group.

The texts of the newsletters are intellectual property of Confidence Group, protected by the copyright laws of Russia. The information may not be reproduced in any form whatsoever without linking to this web site or to pages of this website.