

Law on the Legal Status of Aliens, No. VIII-978

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Chapter I

Article 1. Definitions

As used in this Law:

1. Alien means any person other than a citizen of the Republic of Lithuania irrespective of whether he has citizenship of any foreign state or has no citizenship whatsoever.
2. Visa - means a document possession of which may be established by the Government of the Republic of Lithuania as one of the preconditions for entry into the Republic of Lithuania, for staying in it or travelling in it by transit.
3. Travel document means the passport of a foreign national or a travel document parallel to it, intended for travelling to a foreign country and recognized in the Republic of Lithuania.
4. Temporary residence permit in the Republic of Lithuania means a document granting an alien the right for a temporary residence in Lithuania for a period specified therein.
5. Permanent residence permit in the Republic of Lithuania means a document granting an alien the right for residence in the Republic of Lithuania for a period of unlimited duration.
6. Work permit in the Republic of Lithuania means a document granting an alien the right to work under a contract of employment for a period specified therein.
7. **Departure requirement** means a decision obliging an alien to depart voluntarily from the territory of the Republic of Lithuania.

8. **Deportation** means a compulsory transportation or removal of an alien from the territory of the Republic of Lithuania.
9. **Authorised representative** means a person who, under the laws of the state of which a juvenile alien is a national or where he is domiciled, is responsible for the juvenile during his stay in the territory of the Republic of Lithuania.
10. **Employment quota for aliens** means the number of employed aliens which, in accordance with the needs of the labour market of Lithuania, is annually established by the Government of the Republic of Lithuania.

Article 2. Scope

1. This Law shall regulate the arrival and departure, temporary or permanent residence, legal responsibility and other issues relating to the legal status of aliens in the Republic of Lithuania.
2. The Law shall not be applicable to aliens seeking political asylum in the Republic of Lithuania, or to aliens with a different legal status as established by the laws of the Republic of Lithuania or international agreements to which the Republic of Lithuania is a party.

Article 3. The Rights and Duties of Aliens in the Republic of Lithuania

1. In the Republic of Lithuania aliens shall enjoy the rights and freedoms provided by the Constitution of the Republic of Lithuania, this Law, other laws of the Republic of Lithuania, and international agreements.
2. In the Republic of Lithuania aliens shall be equal before the law without distinction as to race, sex, colour, religion, political or other opinions, national and social origin, ethnic origin, property status, the place of birth or any other status.
3. Aliens in the Republic of Lithuania must observe the Constitution of the Republic of Lithuania, the laws and other legal acts of the Republic of Lithuania.

CHAPTER II ENTRY AND DEPARTURE OF FOREIGNERS

Article 4. Crossing State Borders

1. Aliens may enter the territory of the Republic of Lithuania or depart from it only through the border check points.
2. At the border check point an alien must present a valid travel document.
3. Air and sea captains or people authorised by them shall have the right to check the aliens' travel documents before their entry into the Republic of Lithuania.

Article 5. The Visa

1. An alien coming to the Republic of Lithuania must have a visa of the Republic of Lithuania in the valid travel document unless a resolution of the Government of Lithuania or an international agreement provide otherwise.

2. A visa to enter the Republic of Lithuania shall be issued by a diplomatic or consular institution of the Republic of Lithuania. In the Republic of Lithuania, the Ministry of Foreign Affairs, the Ministry of the Interior or an institution authorised by it shall have the right to issue visas.

3. The conditions and procedure of issuing visas shall be established by the Government of the Republic of Lithuania.

Article 6. Entry of Minors

Children under 18 years of age shall have the right to come to the Republic of Lithuania together with their parents, with one of the parents or other lawful representative, or on their own, when going to the parents, to one of the parents or other lawful representative.

Article 7. The Grounds for Refusing Admission to an Alien

1. An alien shall be refused admission to the Republic of Lithuania if:

- 1) he is not in possession of a valid travel document and a visa when it is obligatory to have it;
- 2) he is not in possession of a valid health insurance document;
- 3) he declines to produce to the border police the proof of identity and state the purpose of the visit;
- 4) he is unable to produce proof of sufficient funds for the stay in the Republic of Lithuania, a return trip to his country or proceed to another country which he has the right to enter;
- 5) he has been prohibited from entry into the Republic of Lithuania;
- 6) his presence in the Republic of Lithuania would pose a threat to national security, public order, the health and morals of its inhabitants;
- 7) if it transpires that when applying for entry the alien misrepresented his personal information;
- 8) he has committed crimes against humanity or of genocide.

2. A decision on ineligibility of an alien for admission to the territory of the Republic of Lithuania in the cases specified in this Article shall be made by the Ministry of the Interior or a body authorised by it.

Article 8. Departure

1. An alien must depart from the Republic of Lithuania before the expiry of the visa or a temporary residence permit.

2. If an alien arrived from the country with a visa-free regime, he must depart from the Republic of Lithuania before the expiry of the term of his stay in the Republic of Lithuania prescribed by an international agreement to which the Republic of Lithuania is a party or by a resolution of the Government of the Republic of Lithuania.

CHAPTER III RESIDENCE OF ALIENS IN THE REPUBLIC OF LITHUANIA

Article 9. The Right of Aliens to Residence in the Republic of Lithuania

Aliens shall have the right to residence in the Republic of Lithuania in the manner and under the terms and conditions of this Law.

Article 10. Residence Permits in the Republic of Lithuania

1. Aliens shall be issued the following residence permits in the Republic of Lithuania:
 - 1) a permit for permanent residence in the Republic of Lithuania;
 - 2) a permit for temporary residence in the Republic of Lithuania.
2. The procedure for the issuance, renewal and rescission of residence permits in the Republic of Lithuania shall be prescribed by the Government of the Republic of Lithuania.

Article 11. Issuance of Residence Permits in the Republic of Lithuania

1. A residence permit in the Republic of Lithuania shall be issued to an alien by the Ministry of the Interior or a body authorised by it.
2. An alien may submit an application for a residence permit in the Republic of Lithuania to a diplomatic mission or a consular office of the Republic of Lithuania.
3. An alien lawfully staying in the Republic of Lithuania shall submit an application for the issue or renewal of a residence permit to the Ministry of the Interior or a body authorised by it.

Article 12. Time Limits for Consideration of an Application for a Residence Permit in the Republic of Lithuania

An alien's application for a residence permit in the Republic of Lithuania must be considered:

- 1) not later than three months after the date of filing the application for a temporary residence permit in the Republic of Lithuania;
- 2) not later than six months after the date of filing the application for a permanent residence permit in the Republic of Lithuania.

Article 13. Validity of the Decision to Issue a Residence Permit in the Republic of Lithuania to an Alien

1. A decision to issue a residence permit to an alien in the Republic of Lithuania shall become invalid if the alien failed to avail himself of it:
 - 1) for six months - in the event of temporary residence in the Republic of Lithuania;
 - 2) for twelve months - in the event of permanent residence in the Republic of Lithuania.
2. The time limit specified in paragraph 1 of this Article shall be calculated from the date of making the decision.

3. The time limit specified in paragraph 1 of this Article shall not be applied if the alien did to avail himself of the residence permit in the Republic of Lithuania for serious reasons beyond his control.

Article 14. Refusal to Issue a Residence Permit in the Republic of Lithuania to an Alien

1. An alien shall be refused a residence permit in the Republic of Lithuania if:

- 1) his residence in the Republic of Lithuania poses a threat to national security, public order, or health and morals of people;
- 2) the alien misrepresented his personal information;
- 3) he is prohibited from admission into the Republic of Lithuania;
- 4) the alien has no adequate means of subsistence in the Republic of Lithuania;
- 5) the alien has no valid health insurance document.

2. The alien who is refused the issue of a residence permit in the Republic of Lithuania may repeatedly file an application within one year after the date of making the decision or after the disappearance of reasons for which the issue of the permit was refused.

Article 15. Freedom of Movement of the Alien in Possession of a Residence Permit in the Republic of Lithuania

1. A residence permit in the Republic of Lithuania shall entitle the alien to choose a place of residence in the country, to change it, to depart from and re-enter Lithuania during the period of validity of the permit.
2. The alien's freedom of movement may be restricted only in the interests of state security or public order in the cases specified by law.

Article 16. Notice of Information

1. The alien who has been granted a temporary residence permit in the Republic of Lithuania, within seven days after his arrival to the Republic of Lithuania, must notify the Ministry of the Interior or an institution authorised by it about his arrival.
2. The alien in possession of a temporary residence permit in the Republic of Lithuania, within seven days after the change of circumstances, must notify the Ministry of the Interior or an institution authorised by it in the event of:
 - 1) change of the place of residence;
 - 2) termination of an employment contract or of business and commerce;
 - 3) discontinuation of studies at an educational institution or expulsion from it;
 - 4) discontinuation of improvement of qualifications at research or educational institutions;
 - 5) change of his marital status;

- 6) change of information proving identity or citizenship.
3. The alien in possession of a permanent residence permit in the Republic of Lithuania, within seven days after the change of circumstances, must notify the Ministry of the Interior or an institution authorised by it in the event of:
 - 1) change of the place of residence;
 - 2) change of his marital status;
 - 3) change of information proving identity or citizenship.
4. An institution or an employer, within seven days, must notify the Ministry of the Interior or an institution authorised by about an alien in the following cases:
 - 1) an employer - about the termination of a contract of employment with an alien in possession of a temporary residence permit in the Republic of Lithuania;
 - 2) the State Tax Inspectorate - about an alien in possession of a temporary residence permit in the Republic of Lithuania who has terminated business and commerce activities or any other employment in the Republic of Lithuania;
 - 3) an educational institution - about the expulsion of an alien in possession of a temporary residence permit in the Republic of Lithuania or his discontinuation of studies;
 - 4) a law enforcement institution - about a criminal or other offence committed by an alien;
 - 5) a court - about an alien who has been sentenced for a criminal or an administrative offence;
 - 6) a registry office - about changes in the civil status of an alien.
5. The procedure of notice of the information specified in this Article shall be established by the Ministry of the Interior.

Article 17. Register of Aliens

1. An alien who is in possession of a residence permit in the Republic of Lithuania for a period longer than a year shall be given a personal code in accordance with the procedure established by the Government of the Republic of Lithuania.
2. The Register of Aliens shall be kept by the Ministry of the Interior.

CHAPTER IV TEMPORARY RESIDENCE OF ALIENS IN THE REPUBLIC OF LITHUANIA

Article 18. A Temporary Residence Permit in the Republic of Lithuania

1. An alien intending to reside in the Republic of Lithuania for a period of longer than ninety days must obtain a temporary residence permit.
2. A temporary residence permit in the Republic of Lithuania shall be issued for a period of one year.

3. Upon the expiry of the validity of a temporary residence permit in the Republic of Lithuania, an alien shall be issued at his request a new temporary permit in accordance with the procedure of issuance of temporary residence permits in the Republic of Lithuania.

Article 19. Eligibility of Aliens to Obtain a Temporary Residence Permit in the Republic of Lithuania

1. An alien is eligible to obtain a temporary residence permit in the Republic of Lithuania provided:

- 1) he has retained the right to citizenship of the Republic of Lithuania in the manner prescribed by the Law on Citizenship;
- 2) one or both of the alien's parents who are citizens of the Republic of Lithuania reside in the Republic of Lithuania;
- 3) the alien's children who are citizens of the Republic of Lithuania reside in the Republic of Lithuania;
- 4) the alien's spouse who is a citizen of the Republic of Lithuania resides in the Republic of Lithuania or has a permanent residence permit in the Republic of Lithuania.

2. Other aliens are eligible to obtain temporary residence permits in the Republic of Lithuania provided:

- 1) they have sufficient means of subsistence from lawful activity in the Republic of Lithuania or abroad;
- 2) they register in the prescribed manner a foreign capital enterprise with the authorised capital or the value of shares held of no less than 250, 000 Litas;
- 3) they come to Lithuania to undertake scientific research or take up teaching positions at scientific or educational institutions;
- 4) they have been enrolled as students at an educational institution or for improvement of their qualifications in the Republic of Lithuania;
- 5) they have been issued a work permit in the Republic of Lithuania.

3. An alien may be issued a temporary residence permit in the Republic of Lithuania for reasons of humanitarian nature.

4. The family members or dependants (children under 18 and persons incapacitated because of age or disability) of aliens specified in paragraph 1 and subparagraphs 1- 3 of paragraph 2 of this Article shall be eligible for temporary residence in the Republic of Lithuania.

Article 20. Issuance of a Temporary Residence Permit in the Republic of Lithuania on the Grounds of Marriage

1. An alien who has entered into a marriage with a citizen of the Republic of Lithuania or an alien in permanent residence in the Republic of Lithuania shall be issued a temporary residence permit in the Republic of Lithuania for a period of one year. A new permit shall be issued to an alien each year on the same grounds provided the marriage has not been dissolved.

Article 21. Reasons for Cancellation of Temporary Residence Permits in the Republic of Lithuania

1. A temporary residence permit for an alien in the Republic of Lithuania shall be rescinded if:
 - 1) the permit has been obtained by fraud;
 - 2) after committing a crime punishable by imprisonment the alien has served the sentence or has been released on parole in the Republic of Lithuania;
 - 3) business, commercial or other type of activities in the Republic of Lithuania is not carried out or is discontinued;
 - 4) a work permit in the Republic of Lithuania has been rescinded;
 - 5) the alien has discontinued studies or improvement of qualifications at scientific or educational institutions or has been expelled from them;
 - 6) the residence of the alien in the Republic of Lithuania poses a threat to national security, public order, to health and morals of the inhabitants;
 - 7) the alien has departed from the Republic of Lithuania to take up residence in another state.
2. A temporary residence permit in the Republic of Lithuania may be rescinded after the dissolution of marriage, where the marriage constituted the grounds for the issue of a temporary residence permit.
3. Temporary residence permits shall be rescinded by the Ministry of the Interior of the Republic of Lithuania or an institution authorised by it.

CHAPTER V PERMANENT RESIDENCE OF ALIENS IN THE REPUBLIC OF LITHUANIA

Article 22. Terms and Conditions for the Issuance of a Permanent Residence Permit in the Republic of Lithuania

1. Upon his request, an alien shall be issued a permanent residence permit in the Republic of Lithuania provided he meets the following conditions:
 - 1) for the last five years he has been in possession of a temporary residence permit in the Republic of Lithuania;
 - 2) he has a place of residence in the Republic of Lithuania;
 - 3) he has a lawful source of subsistence in the Republic of Lithuania.
2. The terms and conditions specified in paragraph 1 of this Article shall not be applicable to an alien who has retained the right to citizenship of the Republic of Lithuania and to the accompanying members of his family when they settle permanently in the Republic of Lithuania.
3. Aliens specified in paragraphs 2 and 3 of Article 19 of this Law, who qualify for the conditions set forth in paragraph 1 of this Article shall be issued permanent residence permits taking into account the interests of the

Republic of Lithuania.

Article 23. Terms and Conditions for Issuance of a Permanent Residence Permit in the Republic of Lithuania for Reasons of the Family Reunification

An alien who has arrived in the Republic of Lithuania for residence in cases set forth in subparagraphs 2, 3, and 4 of paragraph 1, Article 19 of this Law, and who has lived in the Republic of Lithuania for the last two years, shall be issued a permanent residence permit in the Republic of Lithuania provided he qualifies for the requirements specified in subparagraphs 2 and 3 of paragraph 1, Article 22 of this Law, and there are no reasons laid down in Article 14 of this Law to refuse him the issue of a permanent residence permit in the Republic of Lithuania.

Article 24. Grounds for Rescission of Permanent Residence Permits in the Republic of Lithuania

1. A permanent residence permit in the Republic of Lithuania for an alien may be rescinded if:
 - 1) the permit has been obtained by fraud;
 - 2) after committing a premeditated crime in the Republic of Lithuania which is punishable by imprisonment, the alien has served the sentence or has been released on parole in the Republic of Lithuania;
 - 3) his residence poses a threat to national security, public order, or to health and morals of the inhabitants;
 - 4) the alien has departed for permanent residence in another state;
 - 5) it has been discovered that the alien entered into a fictitious marriage with a citizen of the Republic of Lithuania or an alien in permanent residence in the Republic of Lithuania.
2. In cases specified in subparagraphs 2 and 3 of paragraph 1 of this Article, permanent residence permits in the Republic of Lithuania shall be rescinded by a court order, in other cases - by a decision of the Ministry of the Interior or an institution authorised by it.

CHAPTER VI EMPLOYMENT OF ALIENS IN THE REPUBLIC OF LITHUANIA

Article 25. Obligation of an Alien to Obtain a Work Permit

An alien wishing to take up employment under an employment contract must obtain a work permit.

Article 26. Aliens Who are not Required to Obtain a Work Permit

An alien shall not be obliged to obtain a work permit provided:

- 1) he has a permanent residence permit in the Republic of Lithuania;
- 2) he has a temporary residence permit in the Republic of Lithuania issued in accordance with subparagraphs 1-4 of paragraph 1, Article 19;
- 3) he wishes to be employed in order to implement joint programs of the the Government with foreign

states;

- 4) he is manager or his authorised representative of a foreign enterprise or an institution that has established economic relations with a counterpart enterprise or an institution of the Republic of Lithuania;
- 5) he is a professional sportsman and comes to work for a period not longer than 6 months;
- 6) he is manager or his authorised representative of a foreign capital enterprise or a specialist arriving to commission or calibrate equipment bought abroad or to train the staff how to operate the equipment, or a consultant arriving to work for a period not longer than three months.

Article 27. Issuance of a Work Permit

1. A work permit for an alien shall be issued by the Ministry of Social Security and Labour.
2. A work permit shall be issued in accordance with the quota of annual employment of aliens in the Republic of Lithuania and the needs of the internal labour market.

Article 28. Time Limits for Examination of an Application for a Work Permit in the Republic of Lithuania

The alien's application for a work permit in the Republic of Lithuania must be examined within three months from the date of filing the application.

Article 29. Validity of a Work Permit in the Republic of Lithuania

1. A work permit for an alien in the Republic of Lithuania shall be issued for a period not longer than one year and shall state the job (position) and the enterprise (institution) where the alien will be employed.
2. In the event of business exigency, a permit may be issued by the Ministry of Social Security and Labour for a period necessary to complete the work in progress but not longer than two years. If the contract of employment is extended such aliens shall be included into the aliens' employment quota for that year.

Article 30. Employment of Aliens

1. An employer may conclude a contract of employment with an alien who has a valid work permit, with the exception of cases specified in Article 26 of this Law.
2. It shall be obligatory to state in the contract of employment the job (post) and the period of employment for the alien, also the obligation of the alien to be employed only for the job stated in the contract, and to depart from the Republic Lithuania after the termination of the period set forth in the contract of employment.
3. A contract of employment with an alien may not be concluded for a period longer than the period of validity of the work permit obtained by the alien.
4. Within three days, the contract of employment signed by both parties shall be filed for registration with the Labour Exchange of Lithuania which, within two weeks, shall examine if the alien is being employed in accordance with the procedure and conditions set forth in this Law. The contract of employment shall become effective following its registration with the Labour Exchange of Lithuania.

Article 31. Grounds for Rescission of Work Permits in the Republic of Lithuania

1. A work permit shall be rescinded if:
 - 1) the alien obtained it by fraud;
 - 2) the alien failed to conclude a contract of employment within one month from the issuance of a work permit or entered into a different employment without a permit;
 - 3) the contract of employment was terminated.
2. Work permits shall be rescinded by the Ministry of Social Security and Labour.
3. Where the Ministry of Social Security and Labour rescinds a work permit issued to an alien prior to its expiry it must, within seven days, notify in writing the employer, the alien, the Ministry of the Interior or an institution authorised by it.

CHAPTER VII DEPORTATION OF AN ALIEN FROM THE REPUBLIC OF LITHUANIA

Article 32. Requirement for an Alien's Departure

1. An alien whose visa or a residence permit in the Republic of Lithuania were rescinded or who continues to reside in the Republic of Lithuania with an invalid visa or a temporary residence permit shall be required to depart from the Republic of Lithuania.
2. In the event of a visa-free entry into the Republic of Lithuania an alien shall be required to depart from the state if he has stayed here for a period longer than provided by an international agreement to which the Republic of Lithuania is a party or by a resolution of the Government of the Republic of Lithuania.

Article 33. Time Limits for the Enforcement of Departure or Deportation Orders

1. An order requiring an alien to depart from the Republic of Lithuania must be enforced within ten days from the date of service of the order.
2. An order for the deportation of an alien from the Republic of Lithuania must be enforced within ten days from the date of handing down the order provided there are no objective circumstances interfering with its enforcement.

Article 34. Grounds for the Deportation of an Alien

An alien shall be deported from the Republic of Lithuania if:

- 1) he has failed to comply with the requirement to depart from the Republic of Lithuania within a specified time;
- 2) he has unlawfully arrived in the Republic of Lithuania or unlawfully resides therein.

Article 35. Handing Down Orders Requiring Departure or Deportation of an Alien from the Republic of Lithuania

1. Orders requiring an alien to depart or be deported from the Republic of Lithuania, with the exception of aliens in possession of a permanent residence permit in the Republic of Lithuania, shall be handed down by the Ministry of the Interior or an institution authorised by it.
2. Orders with regard to the deportation of aliens in possession of permanent residence permits in the Republic of Lithuania shall be handed down by a court on the recommendation of the Ministry of the Interior.
3. The procedure of enforcement of these orders shall be established by the Government of the Republic of Lithuania.

Article 36. Circumstances Taken into Account when Deporting an Alien or Owing to Which the Deportation of an Alien from the Republic of Lithuania May be Postponed

1. When considering the deportation of an alien from the country account shall be taken of:
 - 1) the time limit of his lawful presence in the country;
 - 2) his social, economic and other relations in the country;
 - 3) consequences of the deportation on the members of his family who are in lawful residence in the Republic of Lithuania.
2. The deportation of an alien from the Republic of Lithuania shall be postponed provided:
 - 1) there may be a real threat to his life or health in the country to which an alien is being deported or where he may be subject to prosecution for his political convictions or any other reasons;
 - 2) the country to which an alien may be deported refuses to accept him;
 - 3) the order for the deportation of an alien from the Republic of Lithuania is appealed against in court;
 - 4) an alien is in need of first aid. In such a case the alien's state of health must be ascertained by a consulting panel of a health institution.

Article 37. Complaint against an Order to Deport an Alien from the Republic of Lithuania

An order of the Ministry of the Interior or an institution authorised by it to deport an alien from the Republic of Lithuania may be appealed against in court within seven days after the date of service of the order to the alien. The court will hand down a decision within ten days after the date of filing the appeal.

Article 38. Temporary Accommodation of an Alien at the Aliens Registration Centre

Before departing from the Republic of Lithuania of aliens who have arrived or who are present therein unlawfully in the manner prescribed by law they may be temporarily accommodated at the Aliens Registration

Centre.

Article 39. Expenses of Deportation

1. An alien shall be deported from the Republic of Lithuania:
 - 1) at his own expense;
 - 2) at the expense of natural and legal persons who have invited him or have provided sustenance for him.
2. In the event of absence of resources specified in subparagraphs 1 and 2 of paragraph 1 an alien shall be deported from the Republic of Lithuania at the expense of the State.

Article 40. Liability of Carriers

1. If an alien has unlawfully arrived at the Republic of Lithuania the carrier who has brought such an alien shall return him back to the state from which he has been brought at his own expense.
2. The State shall not defray to the carrier the expenses of the return of the alien.

Article 41. Prohibition to Arrive at the Republic of Lithuania

1. An alien who has been deported from the Republic of Lithuania pursuant to Article 34 of this Law may be prohibited from re-entry into the Republic of Lithuania for a definite or an indefinite period.
2. An order prohibiting an alien from re-entry into the Republic of Lithuania shall be handed down or rescinded by the Ministry of the Interior or an institution authorised by it.

CHAPTER VIII LIABILITY OF ALIENS

Article 42. Liability of Aliens

Aliens who have committed a crime or other offence in the Republic of Lithuania shall be held liable under the laws of the Republic of Lithuania if international agreements to which the Republic of Lithuania is a party do not provide otherwise.

Article 43. Duty of an Alien to Prove His Identity and Legal Grounds of His Presence in the Republic of Lithuania

At the request of a police officer an alien must produce documents proving his identity and showing that his presence in the country is lawful.

Article 44. Identification of an Alien

1. If there are reasonable grounds to doubt the identity of an alien or authenticity of his travel documents, a police officer shall have the right to seize temporarily the travel document, travel tickets and other documents until the identity of the alien or authenticity of his documents is established.
2. If the detained alien fails to produce documents specified in paragraph 1 of this Article the police officer

shall have the right to carry a check on the person and inspect his personal belongings. A record thereon shall be drawn up.

3. For the purposes of establishing the identity of an alien, he may be photographed and fingerprinted.

Article 45. The Right of the Police to Detain an Alien for Purposes of Identification

1. The police shall have the right to detain an alien:

1) if he refuses to attest or prove his identity;

2) if there are reasons to believe that the alien is present in the territory of the Republic of Lithuania unlawfully and fails to prove lawfulness of his presence.

2. An alien who cannot attest or fails to attest his identity or his lawful presence in the Republic of Lithuania may be detained by the police for not more than forty-eight hours. If during that time the identity of the alien or lawfulness of his presence in the Republic of Lithuania cannot be established, he shall be sent by a court order to the Aliens Registration Centre.

3. The procedure and conditions for a temporary accommodation of the alien at the Aliens Registration Centre shall be established by the Government of the Republic of Lithuania.

CHAPTER IX THE RIGHT OF COMPLAINT AGAINST AN ADMINISTRATIVE AUTHORITY AND DECISIONS MADE BY AN OFFICIAL

Article 46. The Right of an Alien to Lodge a Complaint

1. An alien who thinks that his rights have been violated may lodge, in the manner prescribed by law of the Republic of Lithuania, a complaint against decisions of administrative authorities and officials made pursuant to this Law.

2. The authority which makes a decision concerning the complaint by an alien shall not examine the same complaint for the second time.

Article 47. Reasons for Lodging Complaints against Decisions Made by an Administrative Authority or an Official

1. A decision made by an administrative authority or an official on the refusal to issue an alien a temporary or a permanent residence permit in the Republic of Lithuania or on the rescission of a temporary residence permit may be appealed against by the alien to the court.

2. The alien shall have the right to appeal to the court against the rescission of a work permit.

Article 48. The Appeals Procedure

1. An appeal against the acts or omissions of administrative authorities or officials may be filed by a person whose rights have been violated or by his attorney.

2. The appeal shall be filed within seven days with the court of the locality where the administrative authority or the official whose acts or omissions are appealed against are established. The court must examine the appeal of an alien within ten days.

CHAPTER X FINAL PROVISIONS

Article 49. International Agreements

If an international agreement to which the Republic of Lithuania is a party provides differently from this Law, provisions of the international agreement shall apply.

Article 50. Entry into Force and Implementation of This Law

1. This Law shall enter into force on 1 July, 1999.
2. The manner of implementation of this Law shall be prescribed by the Law on the Implementation of the "Law on the Legal Status of Aliens".

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC

VALDAS ADAMKUS

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