

DECREE No 102 of the Cabinet of Ministers

Baku, 30 June 2009

On the approval of the “Rules for granting permissions for temporary residence to foreigners and stateless persons” and on the determination of the size of investment to the state economy as well as of the amount of the bank deposits, serving as a ground for receiving permissions for temporary residence in the Republic of Azerbaijan for foreigners and stateless persons.

To ensure implementation of para 4.6 – 4.7 of the Decree of the President of the Republic of Azerbaijan No805 on “Development of Migration Management System” dated 5 August 2008 and application of the Law “on Changes and Amendments to certain Legislative Acts” dated 24 June 2008, the Cabinet of Ministers decrees:

1. To adopt “Rules for granting permission for the temporary residence to foreigners and stateless persons” (attached)
2. To determine the minimum size of investment to the state economy serving as a ground for temporary residence to foreigners and stateless persons in the amount 300,000 AZN
3. To determine the minimum amount of the bank deposit serving as a ground for temporary residence to foreigners and stateless persons in the amount of 15,000 AZN
4. The present decree enters into force from the date of its signing

Prime Minister of the Republic of Azerbaijan

A. Rasi-zade

“Rules for granting permission for the temporary residence to foreigners and stateless persons”

The present rules aim to ensure the implementation of the para 4.7 of the Decree of the President No 805 dated 5 August 2008 on “Development of Migration Management System” and application of the Law No 658 – III D “on Changes and Amendments to certain Legislative Acts” dated 24 June 2008. The rules establish an order of issuance of permissions for temporary residence to foreigners and stateless persons coming to the Republic of Azerbaijan through visa or visa-free regime.

Permission for the temporary residence in the Republic of Azerbaijan can be issued to foreigners and stateless persons of legal age who enter the Republic of Azerbaijan through visa or visa-free regime, as established in legislation, on the basis of their application or applications made by their legal representatives.

Permission for the temporary residence in the Republic of Azerbaijan can be issued to foreigners or stateless persons below age 14 on the basis of application made by their parents, foster-parents, legal guardians. Applications for children of foreigners or stateless persons at the age between 14-17 shall be made with their consent.

4. Permission for the temporary residence in the Republic of Azerbaijan is issued by the State Migration Service of the Republic of Azerbaijan.

5. Permission for the temporary residence in the Republic of Azerbaijan can be issued to foreigners and stateless persons in the following cases:

- if there is close family relationship with the citizens of the Republic of Azerbaijan;
- if these individuals are married to nationals of the Republic of Azerbaijan;
- if these individuals make an investment to the state economy in the amount determined by the government;
- if these individuals make deposits to banks of the Republic of Azerbaijan in the amount determined by the government;
- if these individuals receive individual permits for employment, in an established order, in the Republic of Azerbaijan;
- if these individuals are studying in educational institutions of the Republic of Azerbaijan;
- if these individuals are high skilled specialists in the sphere of economy, industry, defence; science; culture; sport or other spheres

6. In the following cases, permission for the temporary residence can be denied to foreigners or stateless persons or earlier issued permission can be cancelled:

- If their temporary residence in the Republic of Azerbaijan may constitute threat to the national security of the Republic of Azerbaijan – to its independency, sovereignty, territorial integrity, constitutional system, national interests of the people of the Republic of Azerbaijan and the country, human rights, society, state or social order;
- If these individuals provide false documents or false evidences to obtain permissions for the temporary residence in the Republic of Azerbaijan;
- If these individuals lack documents certifying their identity;
- If these persons are infected with diseases envisaged in the list of serious infectious diseases approved by the Cabinet of Ministers;
- If these individuals were earlier deported from the Republic of Azerbaijan;
- If marriages of these individuals which served a basis for obtaining permission for the temporary residence were proved illegal;
- If these individuals left the Republic of Azerbaijan for residence in another state;
- If residence of these individuals in the Republic of Azerbaijan is not desirable.

7. Foreigners or stateless persons, eligible to obtain permission for temporary residence, shall apply to the State Migration Service at least 22 working days prior to expiration of the validity of the temporary sojourn permit or of the permission for the temporary residence.

8. When applying for temporary residence, foreigners and stateless persons shall present the following documents and evidences to the State Migration Service:

- application form for the issuance of permission for the temporary residence – copy (enclosed);
- copy of the passport or of the substituting document which was used to enter the territory of the Republic of Azerbaijan, or the document certifying identity of the stateless person;
- notarised copy of the document serving as a ground to make an application for temporary residence;
- document certifying health state of foreigner or of a stateless person;
- copy of the relevant documentation of the foreigners or stateless person serving as a ground for temporary sojourn in the Republic of Azerbaijan;
- finger-prints and photo 3,5x4,5 relevant to biometric identification criteria – 2 copies;

- notarised copies of written consent of children aged 14-17;
- document, certifying permission to provide housing (statement from the Immovable Property State Register on the state registration of the property, rent agreement or other document envisaged in the law) or an application of the person providing foreigner or stateless person with housing space;
- cheque on payment of the state duty

9. Applications related to the issuance of permissions for the temporary residence in the Republic of Azerbaijan are considered by the State Migration Service within 20 working days taking into account opinion by the Ministry of National Security

The Ministry of the National Security of the Republic of Azerbaijan by means of the Integrated Migration Information System within 10 working days shall issue opinion on foreigners and stateless persons willing to obtain permissions for the temporary residence

10. If the Ministry of National Security does not provide its opinion within 10 days (working), it shall be considered as lack of objections to the issuance of permission for temporary residence

11. While deciding on the issuance of permission for the temporary residence, the State Migration Service, in every individual case, examines separately each document and fact presented by foreigners or stateless persons for obtaining permission for the temporary residence.

12. Positive or negative decisions relating to the issuance of permissions for the temporary residence shall be grounded and shall be provided to foreigners or stateless persons in the written form

13. When agreeing to temporary residence of foreigners or stateless persons, the State Migration Service shall issue authorising permits for temporary residence in the Republic of Azerbaijan (hereinafter – permit) to these individuals.

14. Foreigners or stateless persons, who received permissions for the temporary residence in the Republic of Azerbaijan, can leave the territory of the Republic of Azerbaijan or return back, on the basis of documents certifying their identity (passport or document certifying identity of a stateless person) as well as **permit**.

15. Permission for the temporary residence in the Republic of Azerbaijan is valid for 1 year and extendable for the term not more than a 1 year, for up to 4 times, provided there are valid reasons for extensions

16. Foreigners or stateless persons who applied for the extension of the term of the permission for the temporary residence shall present documents provided in the para 8 of this Rules.

17. Foreigners or stateless persons inform the State Migration Service of loss or any changes in the records in their identification documents shall within 10 working days, and submit application on annulment or re-registration of this document.

For re-registering of identity documents, certification of causes for changes to the former, shall be submitted.

18. The validity of the permission for the temporary residence in the Republic of Azerbaijan shall not be extended if there is less than 6 months left to expiration of a passport or another substituting document.

19. Foreigners or stateless persons who were granted permissions for the temporary residence in the Republic of Azerbaijan shall be registered according to the place of residence by the State Migration Service.

20. Foreigners or stateless persons shall leave the territory of the Republic of Azerbaijan before the expiry of their **permits** if the validity of permission for their temporary residence has not been extended by the State Migration Service of the Republic of Azerbaijan

21. Information relating to foreigners or stateless persons, who applied for temporary residence, received temporary residence permission as well as who were refused issuance of the latter or whose permissions were annulled shall be entered in the Integrated Migration Information System and, by means of this data, their records in the country are maintained.

Appendix to the “Rules for granting permission for the temporary residence in the Republic of Azerbaijan to foreigners and stateless persons”

Application form	Photo
<p>Hereby I am asking you to take into consideration my appeal on getting permission for the temporary residence in Azerbaijan Republic</p> <p>Provide the following information:</p>	
Questions	Answers
1. Surname, name and patronymic as indicated in the passport (if surname, name or patronymic has been changed, indicate the cause and previous names)	
2. Date (day, month, year) and place of birth (country, city)	
3. Marital status (married, single)	
4. Validity period (day, month, year), type, number and series of passport or person's identity document	
5. Citizenship	
6. Previous citizenships (show in detail: where, when and which countries' citizen, way of admission to the I citizenship and reason for renunciation)	
7. Circumstances serving as a ground for receiving permission for the temporary residence in Azerbaijan Republic	
7.1. Close family relationship with the citizens of the Republic of Azerbaijan;	
7.2. Marriage with the citizen of the Republic of Azerbaijan	
7.3. Investment in the economy of the country in the amount determined by the Cabinet of Ministers of the Republic of Azerbaijan;	
7.4. Deposit to the banks of Azerbaijan Republic in the amount determined by the Cabinet of Ministers of the Republic of Azerbaijan;	
7.5. Individual work permission for employment in the Republic of Azerbaijan;	
7.6. Education on a full time basis in the educational institutions of the Republic of Azerbaijan	
7.7. High skills in the sphere of economy, industry, defence; science; culture; sport or other spheres	

8. Close relatives living in Azerbaijan Republic (wife, husband, parents, children, brothers and sisters)

Relationship degrees	Surname, name	Place and date of birth	Ethnicity	Citizenship	Work place and position	Permanent residing country and address

Questions				Answers
9. Full address of the place of residence and phone numbers (home, mobile and work)				
10. Under age children whom applicant willing to get permission for the temporary residence in Azerbaijan Republic				
Son/Daughter	Surname, name and patronymic name	Date of birth (year, month)	Place of birth	Note

11. Application filled by	Person himself	Legal representative
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12. Information about legal representative

12.1. Surname, name, patronymic name	
12.2. Full address of the place of residence and phone numbers (home, mobile and work)	
13. List of documents enclosed to the application	

I am aware that deliberate falsification of the required information for receiving granting permission for temporary reside in the Republic of Azerbaijan or submission of false documents will lead to annulment of the permission card for temporary reside in the Republic of Azerbaijan.

«___» _____ 20___ date	Signature of person filling the application
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Surname, name and signature of official accepted application and the appended documents and checked their accuracy

«___» _____ 20___ date