

# LAW ON REGISTERING PERMANENT AND TEMPORARY RESIDENCE OF CITIZENS

CONSOLIDATED TEXT **1**

## Article 1

This Law shall regulate the manner of registering and deregistering the permanent and temporary residence of the citizens, as well as registering the change of address of apartment.

## Article 2

Permanent residence shall be a place where the citizen has settled with the intention to permanently live there and where (s)he has ensured him/herself an apartment.

In terms of this Law, the citizen shall be considered to have ensured him/herself an apartment to live in if (s)he or a member of his/her family owns an apartment available to move in, on basis of ownership or lease contract in accordance with law. **2**

Temporary residence shall be considered the place where the citizen is staying temporarily, which is a place outside the boundaries of his/her municipality of residence.

## Article 3

When changing the permanent residence the citizen shall be obliged to deregister the previous permanent residence and register the new permanent residence within eight days as of the day of moving out.

The citizen shall be obliged to report the change of the address of the apartment of permanent residence within eight days.

The registration and deregistration of permanent residence, as well as change of address of the apartment of permanent residence for minors shall be performed by parent or guardian.

As an exception, person older than the age of 15, employed or married, may personally register, i.e. deregister the permanent residence and change of address of the apartment.

## Article 3-a

The registration and deregistration of permanent residence and registration of change of address of the apartment shall be performed on the basis of a submitted request by the citizen together with the submitted necessary documentation.

Upon the request referred to in paragraph 1 of this Article, the Ministry of the Interior within a time period of 15 days as of the day of submission of the request referred to in paragraph 1 shall adopt a decision.

An appeal may be submitted to the State Commission for Decision-making in Administrative Procedure and Labor Relations Procedure in Second Instance against the decision referred to in paragraph 2 of this Article.

## Article 3-b

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## **Article 4**

The citizen who intends to reside longer than 30 days outside the place of his/her permanent residence shall be obliged to report the place of temporary residence within three days after arriving to the place of temporary residence, and deregister it immediately before leaving.

The provisions referred to in Article 3 paragraph 3 of this Law shall be properly applied both when registering, i.e. deregistering the place of temporary residence.

## **Article 5**

When the citizen uses the services for accommodation in catering facilities, tourist companies, student dorms or boarding schools, i.e. other legal entities performing such activity or with entities providing accommodation services, it is the service provider who shall register or deregister the temporary residence of regardless the period of stay of the citizen.

The registering of the temporary residence shall be performed at latest within 48 hours after the accommodation, while the deregistering prior to leaving the facility where the citizen was accommodated.

## **Article 6**

The obligation for registration, i.e. deregistration of the temporary residence shall not refer to: military officers who temporarily reside in the depots or other military institutes, workers of the Ministry of Interior accommodated in facilities for special purposes of the Ministry, convicted persons serving the imprisonment in the penitentiary institutions or correction institutions, persons who are being treated in healthcare organization, as well as persons who temporarily reside in a facility or an apartment for relaxation and recovering due to personal well-being.

## **Article 7**

The citizen shall be obliged every six months of his/her continuous stay in certain place, to renew the registration of the temporary residence.

If the citizen uses services, in terms of Article 5 paragraph 1 of this Law, the obligation for registering the stay every six months shall be performed by the service provider.

## **Article 8**

The citizen who intends to temporarily reside abroad, from three months to one year, or be on temporary job assignment abroad for more than a year, shall be obliged prior to the departure to report it at the competent body within his/her place of permanent residence, or at the border crossing, or immediately after the departure in the diplomatic and consular mission of the Republic of Macedonia in that country, that is within three days to report the return to the permanent residence in the Republic of Macedonia.

In the case referred to in paragraph 1 of this Article, the citizen shall be obliged to report the minors traveling with him/her as well.

The citizens, who failed to report the departure abroad for longer than three months, shall be ex officio recorded by the competent body.

## **Article 9**

The registering and deregistering of the permanent, i.e. temporary residence, as well as the change of address of the apartment shall be performed in the Ministry of Interior.

During the registration and deregistration of the permanent, i.e. temporary residence the person shall be issued a certificate.

### **Article 10**

When registering and deregistering permanent, i.e. temporary residence, as well as when reporting change of address of apartment the citizen shall be obliged to submit identity card or other document to confirm his/her identity.

### **Article 11**

The control of the registration and deregistration of the permanent and temporary residence of the citizens, i.e. reporting change in address of apartment shall be performed by the Ministry of Interior.

When the Ministry of Interior shall confirm that the registration of the permanent, i.e. temporary residence, as well as change of address of the apartment contain false data it shall adopt a determination for annulling the registration and for deletion of the person from the permanent residence records.

### **Article 12**

The Ministry of Interior shall keep records regarding the permanent residence, change of address of the apartment and temporary residence of the citizens, in accordance with the prescribed standards and in accordance with law.

The records regarding the permanent residence may be kept in the records for issued identity cards.

The Ministry of Interior shall provide protection of the data referred to in paragraph 1 of this Article from unauthorized approach and use of the same.

### **Article 13**

The companies and other legal entities and the persons referred to in Article 5 paragraph 1 of this Law shall be obliged to keep precise and neat book of temporary residence of the persons being provided with accommodations services thereof (guest book).

Prior to the first use the guest book shall be verified in the Ministry of Interior and kept at least three years from the day of the last record of temporary residence.

The authorized officials of the Ministry of Interior shall have the right to insight in the guest book.

### **Article 14**

The state bodies, companies or other legal entities and citizens may use the records in accordance with law, due to their legal interest thereof.

### **Article 15**

Fine in the amount of Euro 2.000 in Denar counter-value shall be imposed for misdemeanor on legal entity if:

1. it fails to check in, i.e. check out the person in terms of Article 5 and Article 7 paragraph 2 of this Law and
2. fails to keep guest book or keeps it incorrect or disorderly or fails to provide insight in the guest book to the authorized official from the Ministry of Interior (Article 13).

Fine in the amount of 30% of the determined fine for the legal entity shall be also imposed on the responsible person in the legal entity for the misdemeanor referred to in paragraph 1 of this Article.

Fine in the amount of Euro 200 to 300 in Denar counter-value shall be also imposed on the entity providing accommodation services for the misdemeanor referred to in paragraph 1 of this Article.

### **Article 15-a**

The misdemeanor procedure for the misdemeanors foreseen in Article 15 of this Law shall be conducted and misdemeanor sanction shall be imposed by the competent court.

### **Article 16**

A fine in the amount of Euro 100 to 500 in Denar counter-value shall be imposed for misdemeanor to the natural person who shall fail to register or deregister permanent, i.e. temporary residence or address of apartment or shall fail to do so within the prescribed deadline (Article 3, 4 paragraph 1, 7 paragraph 1 and 8 paragraph 1).

### **Article 16-a**

For the misdemeanors envisaged with Article 16 of this Law the misdemeanor procedure shall be conducted by a Commission at the Ministry of Interior.

As an exception to paragraph 1 of this Article, if the perpetrator is a foreigner, the misdemeanor procedure shall be conducted and misdemeanor sanctions shall be imposed by the competent court.

The Commission referred to in paragraph 1 of this Article shall be comprised of two members and President of the Commission.

The members of the Commission shall hold university degree and shall have work experience of at least four years on the related subject, while the President of the Commission shall be graduated lawyer with passed legal exam and working experience on the subject of at least six years.

The writs prepared by the Commission referred to in paragraph 1 of this Article shall be submitted in accordance with the provisions of the Law on Misdemeanors and the Law on General Administrative Procedure.

If the residence of the person to whom a notification, invitation or decision is to be submitted is unknown for the body whose writ is submitted, the Commission referred to in paragraph 1 of this Article shall publish the writ on the website of the Ministry of Interior and it shall be considered that the party is duly informed about the writ upon the expiry of eight days as of the day of its publication on the website.

An appeal against the decision of the Commission referred to in paragraph 1 of this Article may be filed to the State Commission for Decision-making in Second Instance in the Field of Inspection and Misdemeanor Procedure.

### **Article 16-b**

The amount of the fine for the legal entity shall be determined in accordance with the Law on Misdemeanors.

### **Article 17**

Within three months after this Law enters into force, the Minister of Interior shall adopt bylaws regulations regarding the Forms for registering and deregistering permanent and temporary

residence and reporting change of address of apartment, as well as regarding the Form for the guest book.

Until the adoption of the regulations referred to in paragraph 1 of this Article, the regulations so far shall be applied.

### **Article 18**

The citizens of the Republic of Macedonia who until the day this Law enters into force have registered their permanent residence shall not be obliged to register the permanent residence in accordance with the provisions of this Law.

### **Article 19**

As of the day this Law enters into force the Law on Registering Permanent and Temporary Residence of the Citizens ("Official Gazette of SRM" no. 15/72, 24/85, 15/88 and 19/90) shall cease to be valid.

### **Article 20**

This Law shall enter into force on the eight day of its publishing in the "Official Gazette of the Republic of Macedonia".

#### **PROVISIONS OF OTHER LAWS:**

Law on Registering Permanent and Temporary Residence of Citizens ("Official Gazette of the Republic of Macedonia" no. 51/2011):

#### **Article 2**

This Law shall enter into force on the eight day of its publishing in the "Official Gazette of the Republic of Macedonia", except the provision referred to in Article 3-a paragraph 3 of this Law which shall start to apply as of the day of commencement of application of the Law on the Establishment of the State Commission for Decision-making in Administrative Procedure and Labor Relations procedure in Second Instance and the provision referred to in Article 3-b which shall start to apply within a time period of three months as of the day this Law enters into force.

Law on Registering Permanent and Temporary Residence of Citizens ("Official Gazette of the Republic of Macedonia" no. 152/2015):

#### **Article 5**

This Law shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia".

Law on Registering Permanent and Temporary Residence of Citizens ("Official Gazette of the Republic of Macedonia" no. 55/2016):

#### **Article 3**

The procedures initiated until the day of beginning of application of this Law shall end in accordance with the law they have been initiated.

Law on Registering Permanent and Temporary Residence of Citizens ("Official Gazette of the Republic of Macedonia" no. 55/2016):

**Article 4**

This Law shall enter into force on the day of its publication in the "Official Gazette of the Republic of Macedonia" and shall start to apply as of the beginning of application of the Law on the General Administrative Procedure in accordance with Article 141 of the Law on the General Administrative Procedure ("Official Gazette of the Republic of Macedonia" no. 124/15).