

## **The procedure for extending temporary stay on the basis of training, as well as those working in Russia under a patent and their minor children is clarified**

The order of the Ministry of Internal Affairs of Russia on amendments to the procedure for making a decision on the extension or reduction of the period of temporary stay in Russia of a foreign citizen has been published

[Order No. 749 of the Ministry of Internal Affairs of Russia dated October 12, 2022](#) "On Amendments to the Procedure for Making a Decision on Extending or Reducing the Period of Temporary Stay of a Foreign Citizen or Stateless Person in Russia, approved by Order No. 926 of the Ministry of Internal Affairs of Russia dated November 22, 2021" was published

This change was made as part of the implementation of the provisions of Law No. 357 FZ of July 14, 2022, which we wrote about [earlier](#).

The order added a procedure for extending the stay of minor children of foreign citizens working in Russia on the basis of a patent, and indicated a list of documents required for this.

To do this, along with the application are provided:

- identity document of a foreign citizen and its copy (all pages);
- documents confirming family relations with a foreign citizen working on the basis of a patent (birth certificate, documents of guardianship or trusteeship, as well as documents confirming that he is dependent on a foreign citizen working on the basis of a patent), and their copies;
- a patent, as well as a document confirming the payment of personal income tax in the form of a fixed advance payment, and their copies.

This application is submitted by a foreign citizen who is dependent on minor children, or his host. It is submitted in any form during the period of temporary stay of a foreign citizen to the territorial bodies of the Ministry of Internal Affairs at the place of residence of a foreign citizen. However, in terms of the deadlines for submitting this application, the previous wording of the deadlines for submitting such an application remained - "during the period of validity of permits". The new Procedure does not in any way cover the deadlines for filing an application specifically for extending the terms of a minor citizen of a temporarily staying foreign citizen, since in terms of terms this new category of persons (minor children working in Russia under a patent of foreign citizens) is not mentioned in any way, and the deadlines for filing an application in a situation in which it is necessary to extend the period of stay for a minor child of a foreign citizen working under a patent, are not specified.

The order also added a procedure for extending the stay of minor children of foreign citizens staying in Russia on the basis of training in an educational or scientific organization.

This application is submitted by the educational or scientific organization where the foreign citizen is studying.

To do this, the following documents are submitted along with the application:

- identity document of a foreign citizen and its copy (all pages);

- documents confirming family relations with a foreign citizen who entered Russia for the purpose of studying and enrolled in an educational organization (birth certificate, documents of guardianship or guardianship, as well as other documents confirming that he is dependent on a foreign citizen), and their copies ;
- a document (documents) and its (their) copy (copies) confirming the foreign citizen's education in an educational organization, admission to the preparatory faculty of a federal state educational organization.

This application is submitted by an educational or scientific organization at the place of residence of a foreign citizen or at the location of an educational institution or scientific organization.

According to the previous edition of the Order, such an application of an educational organization is submitted in any form no later than 20 days before the end of the period of temporary stay of a foreign citizen in the Russian Federation.

However, new categories were not added to the new version of the order, namely "minor children of foreign citizens studying in state educational programs", the references in clause 6.4 of the Order indicate only the foreign citizens themselves studying in state programs in Russia, therefore, in this regard, so far there is a clear gap in the by-laws, and how this will work and in what time frame an application should be submitted to extend the stay of minor children of foreign citizens studying in Russia, is still unclear.

The paragraphs of the law dated July 14, 2022 No. 357-FZ, related to RVP for the purpose of obtaining education, come into force on January 1, 2023, respectively, from the same date, the provisions of the Order come into force.

For more information, please contact the consultants of the Confidence Group company.

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