



**USVOJEN ZAKON O IZMENAMA I
DOPUNAMA ZAKONA O ZAPOSŁJAVANJU
STRANACA:**

Uveden institut privremene radne dozvole

U „*Sl. glasniku RS*“, br. 50/2018 objavljen je Zakon o izmeni i dopuni Zakona o zapošljavanju stranaca (u daljem tekstu: „*Izmene Zakona*“) koji se primenjuje od 7. jula 2018. godine.

Izmene Zakona su usvojene imajući u vidu postojanje interesa poslodavca da zaposleni koji su stranci što pre stupe na rad. Stoga, Izmenama Zakona uveden je institut privremene radne dozvole. Ovaj institut nije postojao u Zakonu o zapošljavanju stranaca iz 2014. godine (u daljem tekstu: „*Zakon*“).

Uslovi koji moraju biti ispunjeni kako bi se strancu izdala privremena radna dozvola od strane Nacionalne službe za zapošljavanje su sledeći:

- a) Izdavanje privremene radne dozvole je u interesu Republike Srbije (u daljem tekstu: „*RS*“) ili to nalažu međunarodno prihvaćene obaveze Republike Srbije,
- b) Stranac, kome se privremena radna dozvola izdaje, ispunjava sve uslove iz zahteva poslodavca koji se odnose na odgovarajuća znanja i sposobnosti, kvalifikacije, prethodno iskustvo i dr,
- c) Stranac je podneo zahtev za privremeni boravak, kao i da je
- d) Stranac prethodno pribavio saglasnost ministra nadležnog za unutrašnje poslove.

Iako je cilj donošenja ovih Izmena Zakona opravdan, ostaje nejasno ko je nadležan da ustanovi kada je u interesu RS da se strancu izda takva privremena dozvola za rad.

Privremena radna dozvola izdaje se na period koji ne može biti duži od 45 dana.

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**THE LAW ON AMENDMENT OF THE LAW
ON EMPLOYMENT OF
FOREIGNERS WAS ADOPTED:
Institute of temporary work permit is
implemented**

The Law on Amendments of the Law on Employment of the Foreigners (hereinafter: the „*Amendments of Law*“) is published in the Official Gazette no. 50/2018 and is applicable from July 7, 2018.

Amendments of Law were adopted having in mind the existence of an employer's interest that employees who are foreigners start to work as soon as possible. Therefore, by the Amendments of Law institute of temporary work permit is introduced. This institute did not exist in the Law on Employment of Foreigners from 2014 (hereinafter: the „*Law*“).

The conditions that must be fulfilled in order to National Employment Service issues a temporary work permit to a foreigner are as follows:

- a) The issuance of a temporary work permit is in the interest of the Republic of Serbia (hereinafter: „*RoS*“) or that is required by RoS' internationally accepted obligations,
- b) A foreigner, to whom a temporary work permit is issued, fulfils all the employer's requirements related to the appropriate knowledge and skills, qualifications, previous experience, etc.,
- c) A foreigner has submitted a request for temporary stay, and
- d) A foreigner has previously obtained the approval of the minister responsible for internal affairs.

Although the intention of adoption of the Amendments of Law is justified, it remains unclear who is authorized to determine when it is in the interest of RoS to issue a temporary work permit to a foreigner.

Temporary work permit is issued for a period no longer than 45 days.