

GMS Flash Alert

Immigration Edition

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Czech Republic – Temporary Protection for Ukrainians Extended on Registration

The Czech government has extended temporary protection for Ukrainians fleeing the war. The legislative process has been completed and requires an initial registration of all persons requesting the extension of their temporary protection status.¹

The Czech Republic is following the trends in the European Union and continuously adapting to current needs of Ukrainian refugees and changing circumstances by updating a series of acts called “Lex Ukraine.” The latest update takes the general approach adopted among the EU member countries to extend the validity of temporary protection status for Ukrainians seeking refuge (for prior coverage, see [GMS Flash Alert 2022-211](#), 30 November 2022). Due to the ongoing war, the validity of this special status will be extended by another year, until 31 March 2024.

WHY THIS MATTERS

As the Czech Republic is ranked as one of the countries that accepted the highest number of refugees per capita, it was necessary to clearly define the requirements for further extension of the status of Ukrainians in the country since there are more issues than just their residence status. Under Czech regulations, temporary protection provides many benefits, including the possibility of legal work without the need of specific permission as well as access to health care and education.

The current update affects many other areas linked to the residence status of these persons. All companies employing Ukrainian refugees should be familiar with the latest changes so that they can prepare for requirements and obligations arising from the revised rules.

Lex Ukraine IV: Two-Phase Extension

The amendment is recognised as “Lex Ukraine IV.”

The most important update affected the validity of temporary protection status, which was extended to 31 March 2024. This approach has been agreed at the EU level and the Czech Republic adopted it in full.

However, it remained unclear if the persons willing to extend their status in the Czech Republic would need to carry out any actions and if so, what the requirements will be. The government of the Czech Republic introduced two options with one requiring an initial registration via the portal of the Ministry of the Interior of the Czech Republic. This option was finally signed by the president on 18 January 2023, and has been officially published, i.e., entered into force and in effect.

Individuals are required to register on the Foreigners Reservation System portal, where a button for requesting the extension of their temporary protection will appear. Once the registration is completed, the validity of the temporary protection will be extended until 30 September 2023, and the individuals will be asked to pick the date and time for the visa label re-stamping that will take place at the dedicated Immigration Office in the Czech Republic according to their registered address. The new visa labels will be valid until 31 March 2024. No “bridging” visas will be issued for the period of waiting for the new (re-stamped) visa label.

It will therefore be necessary to carry out two actions (registration and visit to the Immigration Office in the Czech Republic) for completing the temporary protection extension.

KPMG INSIGHTS

Individuals are strongly recommended to pick a date for the re-stamping they know for certain that they will be able to attend. If the chosen appointment becomes unsuitable, it will be possible to reschedule it only once. No other extra appointments will be provided and if the individuals miss the second chance for the visa re-stamping, the validity of their temporary protection will cease.

If the individuals miss the extension by either not registering via the portal or not attending the visa re-stamping appointment, their temporary protection status will expire and they will have to apply for a new temporary protection, if required. It has been confirmed by the authorities that the standard benefits being granted with the initial temporary protection will not be renewed and granted again.

Impossibility of Secondary Migration

With the extended temporary protection status, individuals will keep all existing benefits, such as free access to the labour market and health insurance coverage.

However, the legislation does not change the Czech Republic’s approach to the impossibility of secondary migration, i.e., it does not grant temporary protection status to those who have already received it or applied for it in another EU country. This approach adopted by the Czech Republic, which is relatively strict compared to other countries, therefore remains unchanged.

KPMG INSIGHTS

Note that not just the individuals are obliged to carry out actions related to this extension. All employers whose workers extend the validity of their temporary protection are obliged to report such change to the relevant Labour Office.

Despite the fact that this obligation does not arise straight from the Lex Ukraine update, it is set by the Act on Employment (435/2004 Sb.) that enumerates all obligations arising from employing foreign nationals (including those with temporary protection). As this is often being neglected by the employers, we are highlighting that it may be one of the areas that possible inspections focus on.

The Czech Republic is continuously monitoring the current situation and developments in the war in Ukraine and adopting relevant legislation updates. It has been confirmed by the authorities that the preparation of another update is underway.

We, at KPMG in the Czech Republic, will therefore await and monitor further developments in the government's approach to temporary protection and, hopefully, answer questions on how the transfer to standard Residence Permits will be designed.

FOOTNOTE:

1 For the text of *Zákon č. 20/2023 Sb., kterým se mění zákon č. 65/2022 Sb., o některých opatřeních v souvislosti s ozbrojeným konfliktem na území Ukrajiny vyvolaným invazí vojsk Ruské federace, ve znění pozdějších předpisů, a další související zákony*, see: <https://www.zakonyprolidi.cz/cs/2023-20> .

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Contact us

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The information contained in this newsletter was submitted by the KPMG International member firm in the Czech Republic.

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