

(M.P. No: 8.5.1/6)

**ISSUE AND RENEWAL OF TEMPORARY RESIDENCE AND EMPLOYMENT  
PERMITS FOR THIRD COUNTRY NATIONALS WHO ARE EMPLOYED BY  
COMPANIES/ENTERPRISES OF FOREIGN INTERESTS**

**1. ELIGIBLE COMPANIES**

(I) All companies of foreign interests, including international companies (ex-IBCs), in order to be eligible to employ third country nationals in Cyprus, should fulfill the following:

(a) (i) The majority of the company's shareholders should be foreign shareholders and in the case of shareholders whose ultimate owners are foreign companies, they should be declared in order to be approved by the Civil Registry and Migration Department (CRMD). The following cases are exempted:

- public companies registered in any recognized Stock Exchange,
- international companies (ex IBCs) that were operating before the change of regime and for which the Central Bank of Cyprus possesses all the necessary data,

(ii) In case where the percentage of the foreign participation in the share capital of a company is equal or below the fifty percent (50%) of the total share capital, this percentage should represent an amount equal or higher than CYP100.000 in order for a company to be considered eligible. Applications by companies that deal with offering services or consulting services that invest capital lower than CYP100.000 will be examined given the fact that the nature of their work does not require a higher capital investment.

(b) For new companies it should be proved by banking and other documents that the direct foreign capital investment amounts at least CYP100.000, and it was brought in Cyprus legally from abroad.

(c) The companies should operate from their self-contained offices in Cyprus, which should be located in suitable distinct premises, not part of private residence or another office, except form cases of companies that share lodging. Cases in which the nature of the work allows people to work from their home will be examined.

(II) All the certificates/supporting documents required concerning the company are mentioned in Appendix 1.

## 2. **EMPLOYEE CLASSIFICATION**

Eligible companies which fulfill the above conditions may employ third country nationals in the following positions. Companies should not commit themselves to employing third country nationals for all the following positions before securing a Temporary Residence and Employment Permit from the CRMD. In case of violation of these rules, the CRMD is not committed by the following provisions.

### (a) Executive Directors

- The term 'Executive Directors' includes third country nationals registered as:

- Consulting Directors or Partners (in the Registrar of Companies)
- General Managers of branches and subsidiary foreign companies
- Departmental Managers

- The maximum number of such executives is five (5) unless the CRMD is persuaded that a greater number is justified.

- The minimum acceptable total annual salary (annual salary plus any additional allowances/benefits) for a newly appointed Executive Director is CYP24.000. This amount may be adjusted from time to time according to fluctuations in the salary index.
- There are no restrictions for the residence period of these employees.
- All the certificates/supporting documents required concerning this category are mentioned in Appendix 2.

(b) Middle-management staff, executive staff and any other key personnel

- The abovementioned staff includes Directors who are not considered to be Executive Directors as well as other Executive/Middle-management staff or other managerial, clerical or technical personnel with an annual salary ranging from CYP12.000 to 23.999. The amounts may be adjusted from time to time according to fluctuations in the salary index.
- The maximum number of these employees permitted in this category is 10. The CRMD has the discrete authority to decide on the employment of more than 10 people if justified, depending on each company's operation data. In the case that the total maximum number is exceeded, the company should justify the necessity of the employment of third country nationals, taking into consideration the payments as well as-
  - (i) the scope of the company's activities
  - (ii) the proportion of foreigners to Cypriots and
  - (iii) the duration of the company's operation.
- There are no restrictions for the residence period of these employees.

- All the certificates/supporting documents required concerning this category are mentioned in Appendix 2.

(c) Supporting Staff

- All third country nationals employed in other professional, managerial, technical, clerical etc. positions in Cyprus and do not fall under the abovementioned categories (a) and (b), are classified in the remaining supporting staff.
- Companies are expected to employ Cypriots or European citizens for this category. In case that there are not available or suitable Cypriots or European citizens with the required qualifications, a company may employ third country nationals in positions of this category, following the procedure and submitting all the certificates/supporting documents described in Appendix 3 after an affirmative decision (stamp of contact) is ensured by the Labour Department.

**3. SUBMISSION AND EXAMINATION OF APPLICATIONS**

(a) General

- The Director of the CRMD is the authority responsible for the first issue and subsequent renewals of the temporary Residence and Employment Permits granted to all third country nationals employed by companies of foreign interests in Cyprus. The Director of CRMD acts in consultation with other Authorities such as:
  - The Registrar of Companies and Official Addressee
  - The Labour Department of the Ministry of Labour and Social Insurance
  - The Cyprus Police

The abovementioned Authorities inform and advise the Director of Civil Registry and Migration Department of matters falling within their sphere of competences as soon as possible. The Director taking into account their recommendations (unless the recommendations are not submitted in due time) decides about applications and replies directly to the applicants.

(b) Initial Permits

- The completed application forms for the employment of third country nationals for the above categories 2(a) and 2 (b) are submitted to the CRMD, which issues the first Temporary Residence and Employment Permit for a period of up to two (2) years within a month of its submission, unless it is a case that needs further consideration. The application should be accompanied with all the necessary certificates/supporting documents mentioned in Appendix 2.
- The completed application forms for the employment of third country nationals for the above category 2(c) are submitted to the District Aliens and Immigration Branches of the Police except for the District of Nicosia where the application forms are submitted to the District Office of CRMD of Nicosia after an affirmative decision (stamp of contract) is ensured by the Labour Department, which examines with this process, if there are available Cypriot/ European citizens in the Cypriot and European Labour market to be employed for the position.

(c) Renewal of Permits

- The application forms for categories 2(a) and 2(b) are submitted to the CRMD with the necessary certificates and supporting documents mentioned in Appendix 4.

- The application forms for categories 2 (c ) are submitted to the District Aliens and Immigration Branches of the Police except for the District of Nicosia where they are submitted to the District Office of CRMD of Nicosia accompanied by the necessary certificates/supporting documents mentioned in Appendix 4.

(d) Family Members

- Applications from all Districts, for family members under categories 2(a) and 2(b) are submitted to the CRMD with all the necessary certificates/supporting documents mentioned in Appendix 5.
- Applications for family members under category 2(c) are submitted to the District Aliens and Immigration Branches of the Police except for the District of Nicosia where they are submitted in the District Office of CRMD of Nicosia accompanied by the necessary certificates/supporting documents mentioned in Appendix 5.

(e) Trainees

Applications from all Districts for trainees are submitted to the CRMD accompanied by all the necessary certificates/supporting documents mentioned in Appendix 6.

(f) Intra-corporate transferees

In the cases of intra-corporate transferees in the Cyprus Offices that are employed by the Offices of the same company in another country member of the European Union, the 137(I)/2002 Law will be applied for which the competent Authority is the Minister of Labour and Social Insurance.

(g) Domestic staff of category 2(a)

Applications for the employees of this category are exempted from the procedure of examination of the Cypriot and European Labour Market and are submitted to the CRMD (District Office of Nicosia of the CRMD).

#### **4. GENERAL**

(a) In case that any Company of foreign interests terminates its activities in Cyprus, it is obliged to notify the CRMD immediately.

(b) In the cases that employees are bound to be away from Cyprus for an official assignment for a period of more than three (3) months, which results to the immediate invalidation of their residence permit according to the law in force, will have to:

(i) Obtain in advance a re-entry permit by the CRMD

or

(ii) before coming back to Cyprus to ensure a consular entry visa by the Embassies/Consulates of the Republic abroad.

In exceptional cases in which there is not enough time to obtain a re-entry permit before leaving from Cyprus or the time of absence from Cyprus was unknown in advance and in the destination country or a near country there is not Cypriot diplomatic mission/Consulate, the CRMD (central offices) should be informed so that the re-entry in Cyprus is allowed without a re-entry permit or consular entry visa.

Persons whose Temporary Residence Permit has been invalidated, should apply to the CRMD as soon as they re-enter the country in order to renew their permit for the remaining time that their previous permit was valid for. These applications do not have to be accompanied by any certificates except for a confirmation from the company that the person concerned is still employed by the company.

- (c) Personnel of categories 2(a) and 2(b) that is expected to stay in Cyprus for a long period of time may apply to the CRMD in order to ensure a Migration Permit (Application Form M67).
- (d) It is self-evident that no restriction are imposed for the employment of Cypriot or European citizens in any category from companies of foreign interests.
- (e) The cancellation of a temporary residence/employment permit is governed by the Aliens and Immigration Law and Regulations.
- (f) For further information, please contact: Tel: 22403937, 22403947 and 22804401/405

MINISTER OF INTERIOR

11 December 2006

**Certificates and Supporting Documents required in respect of Companies**

(all documents must be either the originals or certified copies)

- Certificate of Registration
  - Memorandum and Articles of Association
  - Certificate of Directors and Shareholders
- In the event of another company being the shareholder and if the company in question is a Cypriot company, then a certificate of Directors and Shareholders is required by the Registrar of Companies. If the said company is registered abroad, then a certificate of Directors and Shareholders is required from the relevant Authority of the country where the company is registered. In the case of Public Companies registered in any Stock Exchange, a certificate of their registration at the Stock exchange is only required.
- by the Registrar of Companies
- Certificate of a registered office
  - Profile describing the nature of the company's business and details of its operations.
  - List of the company's personnel (applicants and employees) (Appendix 1(a)).
  - List with the names, full addresses, passport numbers and nationality of the initial shareholders of the applying company. This is not required by the companies that are exempted by legislation. International companies (ex IBCs), which were operating before the change of regime and for which the Central Bank of Cyprus possesses all the necessary data.
  - For new companies, domicile deed title or lease agreement or contract of sale and purchase of their offices in Cyprus. If these documents are not available when the application is submitted, then they should be brought to the Civil Registry and Migration Department within three (3) months from the day of the application.

## **APPENDIX 2**

### **Certificates/Supporting Documents required in respect of categories 2(a) Executive Directors and 2(b) Middle-management staff/Executive staff/ and any other key personnel**

(all documents must be either originals or certified copies)

#### **For new and existing companies**

- Contract of employment stating the annual salary (CYP24.000 or CYP12.000-23.999 depending on each case) and the employment duration by the duly stamped Commissioner for Stamp Duty (Inland Revenue Department).
- Application Form M58 for entry permit or Application Form M61 for Temporary Residence Permits.
- Application Form M64 for employment permit.
- One photo
- Fees CYP20 per year with the application form.
- Copy of passport's data pages (applicants personal details and expiry date).
- Copy of Alien Registration Certificate (A.R.C).
- Bank guarantee (personal or collective, depending on the case).
- Certificate of Criminal Record.
- Full Medical Insurance certificate (for inpatient and outpatient hospital treatment) for the applicant and his/her family members valid for one year. In the case that

the Residence/Employment Permit is valid for more than one years, then a renewed insurance certificate must be submitted

- Medical examination certificate (AIDS, syphilis, Hepatitis B) and a chest x-ray for tuberculosis (TB) from doctors in Cyprus. This certificate is required even in the case of a renewal of a temporary residence/employment permit.

For new companies

- Proof that the third country nationals who will be employed have adequate funds so that they and their family members may not become a burden on the Social Welfare System of the Republic during their stay and until the company will operate fully. Such proof is considered:
  - (a) In case that the employees (categories 2(a) and 2(b)) are also shareholders of the company, the equivalent amount to an annual salary must be deposited in a Bank in Cyprus either in a personal account of the applicant or the company's account,
  - (b) In case that the employees (categories 2(a) and 2(b)) are not a shareholders of the company, the equivalent amount to an annual salary must be deposited in a Bank in Cyprus in the company's account.

For existing companies

- For existing companies the above condition is satisfied by submitting the audited financial movement of company's accounts for the previous year which includes the auditor's report for the company's viability, and a certificate of company tax clearance issued by the Inland Revenue Department.

### APPENDIX 3

**Certificates/Supporting Documents required in respect of category 2(c) supporting staff (the remaining administrative, technical, clerical and supporting staff with annual salary under CYP18.000)**  
(all documents must be either originals or certified copies)

The application forms for the employment of third country nationals as supporting staff (category 2(c )) are submitted to the District Aliens and Immigration Branches of the Police except for the District of Nicosia where the application forms are submitted to the District Office of CRMD after an affirmative decision (stamp of contract) is first ensured by the Labour Department.

The application should be accompanied by the following Certificates/Supporting Documents:

- Contract of employment stating annual salary and employment duration stamped by the District Labour Office, given the fact that the employers have a permit from the Labour Department allowing them to employ third country nationals.
- Form M61 (application for temporary residence permit) and M64 (application for employment permit) fully completed and duly signed.
- Copy of passport's data (personal details and expiry date).
- Copy of Aliens Registration Certificate (A.R.C.).
- Certificate of Criminal Record.
- Letter of guarantee from the employer. In case that the alien is accompanied by members of his family, a letter of guarantee is required from the third country national.

- Medical examination certificate (AIDS, syphilis, Hepatitis B) and a chest x-ray for tuberculosis (TB) from doctors in Cyprus.
- Fees CYP20 per year.

## **APPENDIX 4**

### **Certificates/Supporting Documents required for renewal of permits**

(all documents must be either originals or certified copies)

#### **1. Categories 2(a) Executive Directors and 2(b) Middle-management staff/Executive staff/other Key Personnel**

- Applications for renewal of residence and employment permit are submitted to the Civil Registry and Migration Department (District Office of CRMD in Nicosia).
- Company's annual Report by Offices of Certified Public Accountants.
- Audited company's Accounts fro the previous year including auditor's report for the viability of the company.
- Income tax clearance Certificate for the applicants and corporate tax clearance for the company.
- Certificate for Social Insurance Fund contributions during the previous period.
- List of the company's personnel (applicants and employees) (Appendix 1(a)).
- All certificates and supporting documents mentioned in Appendix 2 except for the Certificate of Criminal Record.
- Copy of the previous Residence and Employment Permit.
- Fees CYP20 per year.

**2. Category 2(c ) supporting staff**

- Copy of the previous permit.
- Income tax clearance Certificate of the applicants issued by the Inland Revenue Department.
- Certificate for Social Insurance Fund contributions during the previous period.
- All certificates/supporting documents mentioned in Appendix 3 except for the Certificate of Criminal Record.

## APPENDIX 5

### Certificate/supporting Documents required for temporary residence permits to be granted to dependents (spouse/children)

(all documents must be either originals or certified copies)

1. M61 Application Form for temporary residence permit.
2. One photo.
3. Application fees CYP20 per year.
4. Copy of passports' data (personal details and expiry date) of the applicant.
5. Bank Guarantee.
6. Full Medical Insurance Certificate (for inpatient and outpatient hospital treatment) valid for one year. In case that the residence permit is valid for more than one year, a renewed insurance certificate must be submitted.
7. Marriage Certificate or a registered living together relationship, issued by the relevant authority of the country of origin and birth certificates of the children.

## **APPENDIX 6**

### **Certificates/Supporting Documents required by non-remunerated trainees**

(all documents must be either the originals or certified copies)

1. M58 Application Form for an entry permit.
2. Application fees CYP20 per year.
3. Clean Criminal Record.
4. One photo.
5. Bank Guarantee.
6. Medical Insurance that covers inpatient and outpatient hospital treatment (for those that will stay for more than three (3) months), which should be submitted with application form M61 in order to be granted a temporary residence permit.
7. Confirmation of the place of residence.
8. Company letter stating that it will cover all accommodation and upkeep expenses of the third country national. The same letter should also certify that the company will cover the cost of the full medical insurance of the third country national in cases his/her stay does not exceed three (3) months.