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OBTAINING A TEMPORARY RESIDENCE PERMIT ON THE BASIS OF STUDY IN UKRAINE BY A FOREIGNER

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Temporary residence permit in Ukraine (posvidka) – is a document certifying the identity of a foreigner or a stateless person and confirms the legal grounds for temporary residence in Ukraine.

In accordance with Article 4 of the Law of Ukraine On Legal Status of the Foreigners and Stateless Persons the temporary residence permit is issued to a foreigner or stateless person who arrived in Ukraine for the purpose of study [1]. It shall be issued for the duration of study, which is indicated by the order of education establishment on establishment of the education period for foreigner students [2]. The documents that prove university enrollment of a foreigner or a stateless person include the orders of the educational establishment on their acceptance and the set study period for the foreign students.

International students during their period of study in Ukraine fall under the requirements of immigration law, observance of which is extremely important. All foreigners coming to Ukraine with the purpose of study shall obtain temporary residence permit from the Migration Service and be registered at the place of their actual residence during study period. For citizens of visa countries migration procedures do not exceed 15 days until visa expiration date (visa validity period is 45 days), for citizens of non-visa countries – up to 75 days from the date of crossing the Ukrainian border.

Citizens of countries with visa entry procedures arrive in Ukraine with a visa type D (D-13), received at the consular institution of Ukraine at their country of origin with the invitation from the university. They are obliged to provide the Preparatory Department with a passport and documents necessary for the issuance of a temporary residence permit in Ukraine within five working

days after arriving to the university, but not later than 30 days before the expiration of the visa.

Migration formalities for international students are usually carried out by international departments of universities. They would typically request students to provide all the necessary documents and offer to issue medical insurance for the period of study. Service fees of a temporary residence permit in Ukraine are: government charge in the amount of 34 UAH (on the basis of para. 6 Article 3 of the Decree of the Cabinet of Ministers of Ukraine «On Government Charges»); administrative service fee in the amount of 517 UAH (according to the List of administrative services related to migration and their fees, approved by the Resolution of the Cabinet of Ministers of Ukraine of 2 November 2016 No.770 regulating some issues of administrative service delivery in the area of migration); administrative service fee in the amount of 340 UAH [2].

In order to apply for temporary residence permit, a foreigner or stateless person who arrived in Ukraine for the purpose of study shall submit the following documents: – application (is submitted till the completion of the work on full provision of territorial bodies and units of State Migration Service of Ukraine with appropriate material-and-technical support for processing and issuance of the temporary residence permit in a form of card with implemented contactless electronic media);

– passport of an alien with a visa type “D” (if available, for example, if a foreigner from the CIS countries). The original of the passport is returned after the inspection, and only the copies of the pages of the passport of the foreigner with the translation into the Ukrainian language are submitted. The translation is certified by a notary;

– order of the educational establishment about availability of places for foreign students;

– order of the educational establishment about enrollment in the training of a foreigner;

– request (solicitation) from an educational institution which states an obligation to notify the State Migration Service of Ukraine about deductions from such an institution;

– medical insurance policy;

– 4 photographs of a foreigner or stateless person 35 mm x 45 mm on matt paper (it is admissible to submit a photograph of a person with head

covered that does not disguise facial contours for individuals whose religious beliefs preclude not covering head in public, provided that in their passport photo they appear with head covered);

– a copy of the certificate issued by the tax authority on the assignment of the registration number of the taxpayer (if available).

The above listed documents are filed by a foreigner personally, in case of illness or circumstances of force majeure, documents may be filed by a representative on the instructions. Upon receipt of documents by the territorial authorities, the State Migration Service shall, within fourteen days, decide to grant a foreigner a temporary residence permit in Ukraine.

In case of successful submission of documents, the certificate (Ukrainian temporary residence permit) must be issued no later than in 15 days. In practice, a ready-made document is taken by a foreigner at foster-hours exactly in 2 weeks. Another person may submit documents by power of attorney, presenting the original of a foreigner's passport, but only a foreigner can obtain a completed certificate personally.

Upon receipt of the temporary residence permit, the foreigner must register within ten days at the address indicated earlier. Since the law is not clearly spelled out, which are the days from time limit, the competent authorities estimate it in the calendar, not working days. Usually the certificate is issued the day after the decision was made.

Література:

1. 1 On the Legal Status of Foreigners and Stateless Persons [Електронний ресурс] // Верховна Рада України : [офіційний веб портал]. – Режим доступу: <https://zakon.rada.gov.ua/rada/show/en/3773-17/sp:side>.
2. Issuance of temporary residence permit [Електронний ресурс] // Державна міграційна служба України : [офіційний веб портал]. – Режим доступу: <https://dmsu.gov.ua/en-home/services/documenting-foreigners/issuance-of-temporary-residence-permit.html>