

WHAT TO DO IF MY RESIDENCE PERMIT'S VALIDITY ENDS DURING THE CORONAVIRUS EPIDEMIC IN HUNGARY?



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What to do if my residence permit's validity ends during the coronavirus epidemic in Hungary?

The Government made new rules on the validity of personal documents and residence permits to minimize the number of personal meetings between officers and clients. This means that documents which would lose their validity (expire) will automatically stay valid until after the crisis is over. These rules apply to Hungarians, EU and EEA citizens and foreigners living in Hungary who are not from the EU.

In practice, this means that if you have any type of residence permit (see details later) you can stay in Hungary lawfully even if your permit expires during the "state of danger".

The state of danger is a special legal regime that was announced by the Government on 11 March, in order to effectively combat the coronavirus pandemic. The state of danger will end when the Government officially stops it (revokes the decree establishing the state of danger). If there are very few or no new cases of the virus it will *not* automatically end the state of danger, the Government will have to decide about this.

According to the new rules (the decrees of the Government), these documents will automatically stay valid, even if their validity would normally stop during the state of danger.

Residence permits for non-EU citizens. These include: residence permits for work, studies, student mobility, family unity, gainful activity, seasonal work, intra-corporate transfer, research, researcher mobility, job seeking, official purposes (mostly for diplomatic staff and family members), visiting, volunteering, traineeship, medical treatment and other purposes, and EU Blue Card.

Humanitarian residence permits for non-EU citizens. These include, among others: stateless persons (*hontalan*), people with a tolerated stay (*befogadott*), asylum-seekers staying in the territory of Hungary and victims of human trafficking (*emberkereskedelem áldozata*).

Permanent residence permits (*letelepedési engedély*). These include: national permanent residence permits, temporary permanent residence permits and EC permanent residence permits, permanent residence cards (*állandó tartózkodási kártya*).

Citizens of the European Economic Area (EEA – the European Union plus Norway, Iceland, Lichtenstein and the United Kingdom) and Switzerland are also covered by these special rules, so they do not have to personally go to the immigration office to prolong their documents during the state of danger.

If you have a residence card (*tartózkodási kártya*), your card will also be automatically prolonged.

In all these cases, **your residence document will automatically be valid until the 45th day after the official end of the state of danger.** During this time, you do not have to go to the immigration office (National Directorate-General for Aliens Policing, NDGAP) to renew (prolong) your document. But when the state of danger ends, you have to request the renewal of your document following the regular rules (at least 30 days before its validity ends).



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It is important that if you lose your right to stay, you will also lose your residence permit, and the automatic prolongation will not apply to you. For example, if you lose your job, drop out of university, divorce from your partner, and so on, you can only stay in Hungary if you apply for a residence permit for another reason.

If you are a refugee or if you have subsidiary protection (*oltalmazott*) status your document will also be prolonged automatically. The identification documents of Hungarian citizens will be valid until the 15th day after the official end of the state of danger. The law says that refugees and people with subsidiary protection (*oltalmazott*) status should be treated the same way as Hungarian citizens. This means that their identity documents are also automatically prolonged the same way as the identity documents of Hungarians, even if the new rules do not mention refugees specifically.

These new rules do not cover everybody. If you have a temporary residence permit (*ideiglenes tartózkodásra jogosító igazolás*) or any type of visa (*vízum*) you still have to go to the immigration office to renew your document, if its validity ends during the state of danger.

If you have any questions about your residence permit or status, contact us at helsinki@helsinki.hu.

Important laws

Government Decree 85/2020. (IV. 5.) on the application of certain administrative and domestic rules during the state of danger declared on 11 March, Section 6

Government Decree 81/2020. (IV. 1.) on extraordinary measures ordered as part of the state of emergency declared in the protection of people's life, health and the national economy, Section 6 (1)

Act LXXX of 2007 on Asylum, Sections 10 (1), 17 (1)

Act II of 2007 on the Entry and Stay of Third Country Nationals, Section 13 (1)

Government Decree 114/2007. (V. 24.) on the Implementation of Act II of 2007 on the Entry and Stay of Third Country Nationals, Section 47 (6)