

Act No. 65/2022 Coll.

Law on Certain Measures in Connection with the Armed Conflict on the Territory of Ukraine Caused by the Invasion of the Troops of the Russian Federation

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International law
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Administrative law
Healthcare

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LAW

dated March 17, 2022

on certain measures in connection with the armed conflict in the territory of Ukraine provoked by the invasion of the troops of the Russian Federation

The Parliament has resolved on this law of the Czech Republic:

§ 1

Subject of adjustment

(1) This Act incorporates the relevant regulation of the European Union ¹) and, in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation on 24 February 2022, regulates

- a) the conditions for granting temporary protection to foreigners referred to in Section 3 in connection with Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing that there has been a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC and establishing their temporary protection, and in connection with the decision of the Council of the European Union on the extension of temporary protection or its re-introduction, the conditions for its extension or granting,
- b) provision of accommodation and related services to persons granted temporary protection,
- c) assisted voluntary return,
- d) special rules for the provision of health services,
- e) registration of vehicles with Ukrainian license plates (hereinafter referred to as "registration of Ukrainian vehicles"),
- f) long-term stay in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation (hereinafter referred to as "special long-term stay") and
- g) special rules for acquiring citizenship of the Czech Republic in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation (hereinafter referred to as the "special rules for acquiring citizenship").

(2) The provisions of this Act shall apply in priority to the provisions of other legal regulations regulating legal relations pursuant to paragraph 1, unless otherwise provided by this Act.

Temporary protection

§ 2

Temporary protection means a residence permit in the territory of the Czech Republic pursuant to the Act on Temporary Protection of Foreigners for the purpose of providing temporary protection in the territory of the Czech Republic in connection with a decision of the Council of the European Union

pursuant to Section 1(1)(a).

§ 3

- (1) The Ministry of the Interior or the Police of the Czech Republic grants temporary protection to foreigners who are subject to the decision of the Council of the European Union pursuant to Section 1(1)(a).
- (2) The Ministry of the Interior or the Police of the Czech Republic shall further, if the decision of the Council of the European Union pursuant to Section 1(1)(a) is effective, grant temporary protection to a foreigner who proves that
 - a) was a holder of a valid permanent residence permit in the territory of Ukraine on the date specified in the decision of the Council of the European Union pursuant to Section 1(1)(a) and
 - b) his/her travel to the state of which he/she is a citizen or part of its territory, or in the case of a person without citizenship to the state or part of its territory of his/her last permanent residence before entering the territory of Ukraine, is not possible due to the threat of real danger pursuant to Section 179, paragraph 2 of the Act on the Residence of Foreigners in the Territory of the Czech Republic.

Proceedings in matters of temporary protection

§ 4

- (1) The provisions of the Act on the Residence of Foreigners in the Territory of the Czech Republic on the granting of a visa for a stay of over 90 days for the purpose of enduring a stay in the territory of the Czech Republic shall apply analogously to the procedure for granting temporary protection.
- (2) The provisions of this Act shall not apply to temporary protection under this Act.
 - a) Section 1, paragraph 3, Section 2, paragraph 1, letter b), Section 2, paragraph 2, Section 4, paragraph 3, Sections 6 and 8, Section 12, letters a), b), d) and g), Sections 13 to 15, Section 16 in the part of granting, Section 21, paragraph 1, letter b), Section 21, paragraph 2, Sections 24 to 26, 28, 29, 31, 34 to 38, Section 40, paragraph 2, Sections 41 to 48, Section 49, paragraphs 2 to 8, Section 50, Section 51, paragraph 2, letter d), Sections 55, 57 and 58 of the Act on Temporary Protection of Foreigners and
 - b) Section 43, Section 56 paragraph 1 letters c) and k), Section 62 paragraph 4 sentence one, Section 123a paragraph 2 and Section 154 paragraph 4 letter b) of the Act on the Residence of Foreigners in the Territory of the Czech Republic.
- (3) Unless otherwise provided by this Act, the Act on Temporary Protection of Aliens shall apply to the granting of temporary protection pursuant to this Act. In matters not regulated by the Act on Temporary Protection of Aliens, the Act on the Residence of Aliens in the Territory of the Czech Republic shall apply.
- (4) For the purposes of the Act on the Residence of Foreigners in the Territory of the Czech Republic, a person granted temporary protection under this Act is considered to be the holder of a visa for a stay of over 90 days for the purpose of enduring a stay in the territory of the Czech Republic pursuant to Section 33(1)(a) of the Act on the Residence of Foreigners in the Territory of the Czech Republic.
- (5) The Ministry of the Interior or the Police of the Czech Republic may designate a place for a foreigner to submit an application for temporary protection under this Act. The Ministry of the Interior operates facilities for receiving and processing applications for temporary protection. The operation of the facilities includes creating capacities for receiving and processing applications for temporary protection, ensuring capacities for shelter intended for persons displaced from Ukraine awaiting the submission of an application for temporary protection and applicants for temporary protection, and ensuring capacities for allocating accommodation.

§ 5

- (1) The application for temporary protection is inadmissible, if
 - a) is not submitted in person,
 - b) is filed by a foreigner who is not listed in Section 3,
 - c) is filed by a foreigner who has applied for temporary or international protection in another Member State of the European Union,
 - d) is filed by a foreigner who has been granted temporary or international protection in another Member State of the European Union, or
 - e) is filed by a foreigner who is a citizen of the European Union, a state bound by an international treaty concluded with the European Union², from which he derives the right to free movement equivalent to such a right of citizens of the European Union, or a state bound by the Agreement on the European Economic Area³.
- (2) The Ministry of the Interior or the Police of the Czech Republic shall return an inadmissible application to the foreigner and inform him of the reason for inadmissibility; judicial review is excluded.
- (3) The Ministry of the Interior or the Police of the Czech Republic may waive the obligation to submit an application in person for reasons worthy of special consideration.
- (4) The granting of temporary protection shall be marked in the travel document of the foreigner by means of a visa sticker valid until 31 March of the following calendar year. If, due to local conditions, the granting of temporary protection cannot be marked in the form of a visa sticker, a record of the granting of temporary protection may be made in or outside the travel document.
- (5) The Ministry of the Interior or the Police of the Czech Republic shall issue to the applicant for temporary protection, if temporary protection cannot be granted on the spot, a certificate of filing an application for temporary protection. The Ministry of the Interior or the Police of the Czech Republic shall issue a decision on temporary protection without undue delay, in particularly complex cases within 60 days from the date of filing an application for temporary protection.
- (6) The Ministry of the Interior or the Police of the Czech Republic shall inform the alien enjoying temporary protection in writing, in a language in which he or she is able to understand, about the rights and obligations related to the provision of temporary protection and about sharing information about the alien in matters of temporary protection with the competent authorities of the Member States of the European Union.
- (7) In the matter of non-grant or withdrawal of temporary protection, the Act on Temporary Protection of Aliens shall apply.
- (8) Residence permit for the purpose of temporary protection, it is further terminated
 - a) by submitting an application for temporary protection in another Member State of the European Union,
 - b) by granting temporary protection by another Member State of the European Union,
 - c) by submitting an application for international protection in another Member State of the European Union bound by Regulation (EU) No 604/2013 of the European Parliament and of the Council⁴,
 - d) by granting a visa for a stay of over 90 days, a residence permit or international protection in the territory of the Czech Republic or in another state, or

e) after 90 days have passed since the foreigner's place of residence was the seat of an administrative authority pursuant to Section 6, paragraph 4.



§ 5a

(1) An application for a residence permit in the territory of the Czech Republic submitted to a diplomatic mission in Ukraine is inadmissible. When determining the inadmissibility of an application, the provisions of Section 169h, paragraph 5 of the Act on the Residence of Foreigners in the Territory of the Czech Republic shall be applied analogously.

(2) An application for a residence permit in the territory of the Czech Republic submitted to a diplomatic mission by a foreigner who has been provided with reimbursement of costs associated with assisted voluntary return pursuant to Section 6(11) shall be inadmissible if the foreigner has not reimbursed half of the costs incurred, but no longer than for a period of one year from the date of submission of the application pursuant to Section 6(12) or from the date on which, in accordance with Section 6(13), the provisions of Section 6(11) apply to the foreigner's application. The Ministry of the Interior shall forward to the Ministry of Foreign Affairs a list of foreigners to whom reimbursement pursuant to the first sentence has been provided.

(3) The Government may, by regulation, provide for exceptions to the inadmissibility of an application under paragraph 1 or 2.

§ 6

(1) An applicant for temporary protection is obliged to submit a travel document, if he is its holder, and a photograph upon request. An applicant who was not provided with accommodation by the crisis management authority while performing a task imposed under the Crisis Act during the declared state of crisis or who was not provided with accommodation under Section 6b is also obliged to submit a document of accommodation under Section 31(5) of the Act on the Residence of Foreigners in the Territory of the Czech Republic. Upon request, the foreigner is obliged to submit a document of accommodation with an officially certified signature of the person who is the owner or authorized user of the apartment or house; the obligation to submit a written confirmation of consent to accommodation with an officially certified signature of the authorized person under Section 31(5) of the Act on the Residence of Foreigners in the Territory of the Czech Republic is not affected.

(2) If a foreigner enjoying temporary protection resides in the territory of the Czech Republic without a valid travel document and proves that he cannot obtain a travel document from the competent authorities of the country of origin for reasons beyond his control, the Ministry of the Interior shall issue him, upon request, a travel identity card pursuant to the Act on the Residence of Foreigners in the Territory of the Czech Republic. This shall not apply if local conditions do not allow the issuance of a travel identity card. The foreigner is obliged to submit a photograph.

(3) The Ministry of the Interior or the Police of the Czech Republic are authorized to take a video recording of a foreigner for the purposes specified in paragraphs 1 and 2.

(4) The Ministry of the Interior and the Police of the Czech Republic shall keep records of applicants for temporary protection and foreigners enjoying temporary protection; in doing so, they shall proceed in accordance with the provisions of the Act on the Residence of Foreigners in the Territory of the Czech Republic concerning the registration of long-term visas. The Ministry of the Interior and the Police of the Czech Republic may transfer data from this register to state authorities of other Member States if this is necessary for the performance of their tasks.

(5) If a foreigner who is or has been granted temporary protection by the Czech Republic, or if it is a foreigner referred to in Section 5, paragraph 1, letter c) or d), a national of Ukraine who is the holder of a valid residence permit or a holder of a visa for a stay of over 90 days for the purpose of enduring a stay in the territory of the Czech Republic granted in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation, files an application for international protection or if at the time of filing an application for temporary protection, proceedings are being conducted in the matter of international protection under the Asylum Act, the proceedings in the matter of international protection shall be suspended for the period of the introduction of temporary protection; a record shall be made of this in the file on the matter of international protection. The foreigner is not in the position of an applicant for international protection, not even during court proceedings.

(6) The procedure for the application for the issuance or extension of the validity of a residence permit pursuant to the Act on the Residence of Foreigners in the Territory of the Czech Republic shall be terminated upon the granting of a residence permit for the purpose of temporary protection. The provisions of Section 169r, paragraph 3 of the Act on the Residence of Foreigners in the Territory of the Czech Republic shall apply mutatis mutandis.

(7) If a foreigner referred to in Section 3 was granted a visa for a stay of over 90 days in the period from 24 February 2022 until the date of entry into force of this Act for the purpose of tolerating a stay in the territory of the Czech Republic pursuant to Section 33(1)(a) of the Act on the Residence of Foreigners in the Territory of the Czech Republic, the administrative authority shall suspend the proceedings on his application for the issuance or extension of the validity of a residence permit pursuant to the Act on the Residence of Foreigners in the Territory of the Czech Republic. This shall not apply if, prior to the issuance of the visa, an instruction to issue a long-term visa or a long-term visa pursuant to Section 30(2) of the Act on the Residence of Foreigners in the Territory of the Czech Republic was issued to the embassy and the foreigner collects the residence permit or visa within two months of the issuance of the visa. An entry shall be made in the file regarding the suspension of the proceedings for the issuance of a long-term visa.

(8) If a foreigner was granted a visa for a stay of over 90 days in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation in the period from 24 February 2022 for the purpose of tolerating a stay in the territory of the Czech Republic pursuant to Section 33(1)(a) of the Act on the Stay of Foreigners in the Territory of the Czech Republic, which does not entitle him to stay for the purpose of temporary protection, or pursuant to Section 33(3) of the Act on the Stay of Foreigners in the Territory of the Czech Republic, the provisions of Section 43 and Section 62(4) sentence one of the Act on the Stay of Foreigners in the Territory of the Czech Republic shall not apply. An application for a visa pursuant to the first sentence for a reason pursuant to Section 33(1)(a) shall not apply to the application for a visa pursuant to the first sentence for a reason pursuant to Section 33(1)(a). a) of the Act on the Residence of Foreigners in the Territory of the Czech Republic, the foreigner is also obliged to submit a document confirming the provision of accommodation pursuant to paragraph 1. The foreigner is also obliged to submit a document confirming the provision of accommodation pursuant to paragraph 1 before the granting of a long-term visa pursuant to the first sentence for

the reason pursuant to Section 33, paragraph 3 of the Act on the Residence of Foreigners in the Territory of the Czech Republic, otherwise the visa will not be granted.

(9) The granting of a visa pursuant to paragraph 8 shall be certified by a visa sticker affixed to or outside the travel document. If, due to local conditions, it is not possible to certify the granting of a visa by a visa sticker, a note on the granting of a visa may be made in or outside the travel document.

(10) The provisions of the Act on the Residence of Foreigners in the Territory of the Czech Republic shall apply mutatis mutandis to the reporting of a change of place of residence in the territory of the Czech Republic. A foreigner who has been granted temporary protection under this Act is obliged to report a change of place of residence in the territory of the Czech Republic to the Ministry of the Interior within 3 working days of the date of the change, by submitting a document of accommodation pursuant to paragraph 1. If the documented document does not meet the conditions pursuant to paragraph 1, the notification of a change of place of residence shall be disregarded and Section 6a, paragraph 4 shall apply. The obligation applies to a foreigner if the expected change of place of residence in the territory of the Czech Republic will be longer than 15 days. A change of the place of reported residence may also be made via remote access by filling in an electronic form to the extent of the data specified in the application form together with the submission of a document of accommodation pursuant to paragraph 1. The Ministry of the Interior shall publish the electronic form in the manner specified in Section 182, paragraph 2 of the Act on the Residence of Foreigners in the Territory of the Czech Republic. The obligation to report further changes under the Act on the Residence of Foreigners in the Czech Republic applies similarly to a person enjoying temporary protection.

(11) If the Government so determines, the Ministry of the Interior shall ensure assisted voluntary return to foreigners, which means the reimbursement of certain costs associated with their return, usually to the territory of Ukraine, and the necessary assistance for this. The Government shall also determine the types of eligible costs covered within the reimbursement of costs associated with the return of a foreigner and the maximum amount of funds spent on assisted voluntary return. Assisted voluntary return may be provided to a foreigner only once.

(12) A foreigner is entitled to apply for the provision of assisted voluntary return from the date set by the government no later than 3 months from the date of termination or termination of the

a) a residence permit for the purpose of temporary protection granted to him by the Czech Republic, or

b) international protection granted to him by the Czech Republic in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation.

(13) At a time when the Ministry of the Interior ensures the assisted voluntary return of foreigners under this Act, paragraph 11 shall also apply to applications for voluntary return under Section 54a of the Asylum Act submitted by nationals of Ukraine, foreigners applying for voluntary return to the territory of Ukraine or applying for voluntary return if they are in the territory of the Czech Republic in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation.

(14) The provisions of the Population Registration Act governing the allocation of personal identification numbers to foreigners shall not apply to a foreigner who

a) temporary protection has been granted, or

b) a visa for a stay of over 90 days was granted in connection with the armed conflict in Ukraine caused by the invasion of the troops of the Russian Federation for the purpose of tolerating a stay in the territory of the Czech Republic pursuant to Section 33, Paragraph 1, Letter a) of the Act on the Residence of Foreigners in the Territory of the Czech Republic, which does not entitle the person to stay for the purpose of temporary protection, or pursuant to Section 33, Paragraph 3 of the Act on the Residence of Foreigners in the Territory of the Czech Republic.

(15) Data relating to the procedure for granting temporary protection shall be recorded in paper or electronic form or in a manner combining both forms. The recorded data shall be kept in paper form for a period of 5 years from the termination or non-grant of temporary protection.

(16) If a foreigner who, in the period from 24 February 2022, was granted a visa for a stay of over 90 days in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation for the purpose of tolerating a stay in the territory of the Czech Republic pursuant to Section 33(1)(a) of the Act on the Stay of Foreigners in the Territory of the Czech Republic, which does not entitle him to stay for the purpose of temporary protection, or pursuant to Section 33(3) of the Act on the Stay of Foreigners in the Territory of the Czech Republic, resides in the territory without a valid travel document and proves that he cannot, for reasons beyond his control, obtain a travel document from the competent authorities of his country of origin, the Ministry of the Interior shall issue him, upon request, a travel identity card pursuant to the Act on the Stay of Foreigners in the Territory of the Czech Republic. This shall not apply if local conditions do not allow the issuance of a travel identity card. The foreigner is obliged to submit a photograph.

§ 6a

(1) The Ministry of the Interior shall cancel the information on the place of reported residence in the Czech Republic in the information system for foreigners who have been granted temporary protection, if:

a) the entry of this data was made on the basis of false or incorrectly stated facts,

b) the facility at whose address the foreigner is registered for residence in the Czech Republic has been removed or has ceased to exist, or

c) the right to use the building or a designated part of the building at whose address the foreigner is registered for residence in the Czech Republic has expired, and if he does not use this building or its designated part.

(2) The Ministry of the Interior shall cancel the information on the place of reported residence pursuant to paragraph 1 letter c) on the basis of a declaration by the owner or person authorized to use the property or its designated part.

(3) The Ministry of the Interior shall further cancel the information on the place of reported residence if the foreigner does not stay at the place of reported residence for more than 15 days, based on the information

a) Police of the Czech Republic,

b) organizational units of the state or state enterprise in whose premises the foreigner was accommodated, or

c) the municipality where the foreigner has his/her registered place of residence in the Czech Republic.

(4) The place of residence of a foreigner after cancellation of the information on the place of reported residence in the territory of the Czech Republic is the seat of the administrative authority that officially cancelled this information; in the information system for foreigners, this information is marked as the address of the office.

(5) The provisions of Parts Two and Three of the Administrative Code shall not apply to the procedure pursuant to paragraphs 1 to 3.

§ 6b

Accommodations

(1) The provision of accommodation pursuant to this Act is a public service. Accommodation is provided in facilities listed in the accommodation registration information system (hereinafter referred to as the "registration").

Objects that, with their structural and technical layout and equipment, meet the requirements for permanent housing and are intended for this purpose of use according to the Building Act or are approved as an apartment are not considered objects intended for accommodation according to this Act.

The scope of related services provided and the distribution of accommodation capacities in the territory are determined by the government by regulation.

(2) Accommodation shall be provided free of charge only once and for a maximum period of 90 consecutive days from the date of the first granting of temporary protection under this Act (hereinafter referred to as the "maximum period"), in particular in buildings that serve as accommodation facilities. The period of accommodation of the same person in individual buildings included in the register shall be added together.

(3) The regional governor and the mayor of the capital city of Prague (hereinafter referred to as the "Governor") shall, on the basis of a government decision, ensure accommodation capacity in the territory of the region or the capital city of Prague (hereinafter referred to as the "Region") in accordance with this Act. The mayors of municipalities with extended powers, city districts and city districts shall cooperate with the regional governor in ensuring accommodation capacity in accordance with the first sentence.

(4) The allocation of accommodation, change of accommodation and removal of a person from accommodation are ensured by the Ministry of the Interior, the Fire and Rescue Service of the Czech Republic or the Police of the Czech Republic (hereinafter referred to as the "allocating authority"), through records. The Regional Authority or the Prague City Hall (hereinafter referred to as the "regional authority") shall provide the allocating authority with the necessary cooperation when changing accommodation. After the allocation of accommodation, the person granted temporary protection shall receive written information containing his or her identification data, the address of the allocated accommodation, the address and identification data of the operator of the accommodation facility (hereinafter referred to as the "operator") and instructions on the consequences of refusing the allocated accommodation and leaving the accommodation.

(5) If a person refuses the allocated accommodation or leaves the accommodation without a serious reason, he/she is considered to have exhausted the maximum period of accommodation. If a person is absent from the accommodation for more than 10 consecutive days without informing the operator, he/she is considered to have left the accommodation. The person is obliged to inform the operator in writing of the period of his/her absence from the accommodation before leaving. The person is also obliged to inform the operator of any change in the length of the period of absence during his/her absence.

(6) The operator is obliged, during the period of registration:

- a) enable the provision of accommodation in the registered facility within the scope of the registered capacity,
- b) enter data on the currently available accommodation capacity into the register every third day,
- c) enter information about leaving the accommodation in the register immediately after the person has left the accommodation provided, or from the moment when the fiction that the person has left the accommodation applies,
- d) record the period of absence of the person at the place of accommodation, immediately after their departure, and
- e) indicate for the object whether it is a construction of an accommodation facility.

§ 6c

Securing additional accommodation capacities

Ministries and other central administrative authorities are obliged to allocate accommodation capacities to the organizational units of the state, state-funded organizations and state-owned enterprises within their jurisdiction and to ensure conditions for their use, to the extent and under the conditions set by the government decision.

§ 6d

Records

(1) The Ministry of the Interior is the administrator of the register. The register contains

- a) information about the location, type, total accommodation capacity and currently available accommodation capacity,
- b) operator identification data and
- c) identification data of persons using the accommodation, including data on the start and end of use of the accommodation, the total duration of accommodation, refusal of accommodation and leaving the accommodation.

(2) Accommodation, the capacity of which is provided by the governor pursuant to Section 6b paragraph 3, shall be included in the register by the regional authority on the basis of a written agreement between the governor and the operator, or on the basis of a written agreement between the operator and the mayor of a municipality with extended powers, city district or city district, if the governor has authorized him to conclude the agreement. The deletion of the accommodation from the register before the expiry of the period for which the accommodation was included in the register, or the reduction of capacity, shall be carried out by the regional authority on the basis of a written request from the operator with effect from the fifteenth day after the delivery of this request.

(3) Accommodation, the capacity of which is provided by ministries or other central administrative authorities, is included in the register and removed from the register by the Ministry of the Interior on the basis of the initiative of the ministry or other central administrative authority.

(4) The regional authority, the municipal authority of a municipality with extended powers, the municipal district authority and the municipal district authority are entitled, in the performance of their tasks stipulated by law, to:

- a) request data from the operator and further process it, including before concluding an agreement pursuant to paragraph 2, and
- b) use data from the register, including personal data.

§ 6e

Flat-rate reimbursement of costs

(1) An operator registered under Section 6d(2) is entitled to a flat-rate compensation for accommodation costs per person and night provided free of charge, according to the data kept in the register. These funds are provided by the region and the regional authority competent for their provision is the regional office.

(2) The amount of the flat-rate compensation provided pursuant to paragraph 1 shall be determined by the government by regulation according to the type of accommodation and the type of operator, ranging from CZK 200 to CZK 350 per accommodated person and night.

(3) The Ministry of Finance shall provide the region with funds in the amount of the region's expenses pursuant to paragraph 1, based on its application, in the form of a subsidy retroactively for a calendar month no later than 2 months after the application is submitted, from the funds of the special-purpose reserve of funds for resolving crisis situations and eliminating their consequences in the budget chapter General Treasury Administration. The provisions of the budgetary rules on the call for applications for the provision of a subsidy shall not apply.

(4) In the case of an operator that is a contributory organization established by the region, the funds pursuant to paragraph 2 may be provided by the regional authority as part of the operating contribution.

§ 6f

Special rules for providing accommodation

- (1) The Governor coordinates the provision of accommodation capacity in the region. The regional authority, the municipal authority of a municipality with extended powers, the municipal district authority and the municipal district authority are authorised to inspect the operator's compliance with the obligations under this Act and the conditions for providing flat-rate compensation under Section 6e.
- (2) The procedures pursuant to Sections 6b to 6e are not subject to the Administrative Procedure Code. The conclusion of an agreement pursuant to Section 6d, paragraph 2, is not the award of a public contract.
- (3) The performance of tasks pursuant to Sections 6b, 6d and 6e by regional authorities and municipal authorities is the exercise of delegated powers.
- (4) An operator that is a contributory organization of a territorial self-governing unit or a state contributory organization is entitled to provide accommodation as part of its main activity based on its inclusion in the register, without prior amendment of the founding document.

§ 7

Special rules for the provision of health services

- (1) A foreigner who has been provided with health services in the territory of the Czech Republic and who has subsequently been granted temporary protection under this Act shall, from the date of provision of health services in the territory of the Czech Republic in the period of 60 days prior to the date of granting temporary protection, be considered for the purposes of public health insurance as a person pursuant to Section 2(1)(b) point 5 of the Public Health Insurance Act.
- (2) A foreigner who has been granted temporary protection under this Act shall, from the date of granting temporary protection, be considered for the purposes of public health insurance as a person pursuant to Section 2, Paragraph 1, Letter b) Point 5 of the Act on Public Health Insurance. A person who has reached the age of 18 and has not yet reached the age of 65 shall, after 90 days from the date of granting temporary protection, be considered a person with permanent residence in the territory of the Czech Republic for the purposes of public health insurance. A person whose serious health condition prevents him from working for a long time and who proves this fact to the health insurance company by means of an extract from the medical documentation, as well as 1 person caring for this person, shall not be considered a person with permanent residence in the territory of the Czech Republic under the second sentence.
- (3) A child born in the territory of the Czech Republic to a foreigner referred to in paragraph 1 or to a foreigner who has been granted temporary protection under this Act shall, from the date of birth, be considered for the purposes of public health insurance to be a person pursuant to Section 2, paragraph 1, letter b), point 5 of the Public Health Insurance Act, for a maximum period of 60 days from the date of birth.
- (4) For the purposes of public health insurance, a dependent child shall also be considered a person who has reached the age of 18 and is systematically preparing for a future profession within the framework of studies at secondary and higher education institutions in Ukraine, up to the age of 26, for persons who have been granted temporary protection under this Act.

§ 7a cancelled

§ 7aa

Provision of outpatient care outside of a healthcare facility

- (1) In connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation and the resulting migration situation, the Government may declare a state of health emergency, the purpose of which is to enable the provision of outpatient care outside of health facilities to persons who, due to the ongoing armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation, have arrived in the Czech Republic and who are temporarily staying in the territory of the Czech Republic, in particular in registered facilities.
- (2) The provision of health care pursuant to paragraph 1 is possible only in the form of outpatient care, based on a permit granted by the regional authority. The provisions of Section 11a, paragraphs 2 to 7 and Section 11b of the Health Services Act shall apply *mutatis mutandis*, with the proviso that the permit shall expire no later than the date of the end of the state of health threat pursuant to paragraph 1. The provisions of Section 11a, paragraph 8 of the Health Services Act shall not apply.
- (3) If a state of health emergency is declared pursuant to paragraph 1, the Ministry of Health shall determine by means of a general measure the fields of care for which a permit pursuant to paragraph 2 may be granted and the details of the lump sum payment pursuant to paragraph 4. When issuing a general measure pursuant to the first sentence, Section 172 of the Administrative Code shall not apply. A general measure pursuant to the first sentence shall enter into force on the date of posting on the official notice board of the Ministry of Health and shall cease to have effect on the date of the end of the state of health emergency pursuant to paragraph 1.
- (4) The health insurance company shall conclude an addendum to this contract with a health service provider who is a holder of a permit pursuant to paragraph 2 and has concluded a contract with this health insurance company on the provision and reimbursement of reimbursed health services pursuant to the Public Health Insurance Act, in order to determine the scope of health services provided in the locations pursuant to paragraph 1. Health services, medicinal products, medical devices and food for special medical purposes in the locations pursuant to paragraph 1 shall be covered by health insurance companies as a flat-rate payment for one day of provision of health services. The details of the flat-rate payment shall be agreed upon by the health insurance company with the health service provider in an addendum to the contract pursuant to the first sentence. If the details of the flat-rate payment are not agreed upon in an addendum to the contract pursuant to the first sentence, the details of the flat-rate payments specified by the Ministry of Health in a general measure pursuant to paragraph 3 shall apply. The provisions of Section 46(2), first sentence, of the Public Health Insurance Act on the tender procedure shall not apply.

§ 7b

Extension of temporary protection

- (1) If temporary protection at the European Union level has not been terminated and has been extended at the same time or if the Council of the European Union has decided to extend it, the stay of a foreigner who was granted or extended temporary protection in the territory of the Czech Republic in the previous calendar year shall be considered a stay for the purpose of temporary protection from 1 April of the current calendar year to 30 September of the current calendar year, if the foreigner registered for its extension by 15 March of the current calendar year in the manner referred to in paragraph 4.
- (2) In the event of a new decision of the Council of the European Union on the introduction of temporary protection, if the foreigner resided in the territory of the Czech Republic on the date of entry into force of this decision on the basis of temporary protection granted by the Czech Republic and this decision applies to him, paragraph 1 shall apply *mutatis mutandis*.
- (3) If a foreigner arrives by 30 September of the current calendar year in accordance with the procedure set out in this provision to have a visa sticker affixed, the stay of such foreigner in the territory of the Czech Republic is considered temporary protection until 31 March of the following calendar year.
- (4) In order to extend temporary protection, a foreigner is obliged to register using an electronic form published on the website of the Ministry of the Interior (hereinafter referred to as "registration"). No other procedure shall be taken into account. For a child under 15 years of age, the registration shall be carried out by his/her legal representative or a person authorised to act on behalf of the child. Registration shall be completed by sending a

confirmation of registration to the e-mail address specified by the foreigner in the registration form. The confirmation of registration shall contain the date and address of the Ministry of the Interior office where the foreigner is to appear to extend temporary protection by affixing a visa sticker.

(5) When registering, a foreigner is obliged to state the place of reported residence in the Czech Republic and the name and address of the school where the child is registered for compulsory school attendance or compulsory preschool education, if this obligation has already arisen and continues.

(6) If, since the date of the last affixing of the visa sticker, a foreigner has changed his place of residence in the Czech Republic, which he has not declared in accordance with the procedure pursuant to Section 6(10), or if his place of residence is determined pursuant to Section 6a(4), the foreigner is obliged to present proof of accommodation pursuant to Section 6(1) when appearing for the affixing of the visa sticker; if the foreigner does not present proof of accommodation pursuant to Section 6(1), the visa sticker will not be affixed.

(7) A visa sticker for a child under 15 years of age shall only be accepted by a person who proves that he or she is the legal representative of the child or a person authorized to act on behalf of the child.

(8) A foreigner who fails to appear for the affixing of a visa sticker on the specified date or at the address of the designated workplace of the Ministry of the Interior is obliged to make a new reservation of the appointment via an electronic form.

(9) For a foreigner who does not register for the extension of temporary protection under this Act by 15 March of the current calendar year, temporary protection shall expire on 31 March of the current calendar year. For a foreigner who, after registration, does not appear for the affixing of a visa sticker by 30 September of the current calendar year or whose visa sticker was not affixed due to failure to present a document pursuant to paragraph 6 or 7, temporary protection shall expire on the expiry of this date.

§ 7c

Visa sticker

(1) The period of validity shall be indicated in the visa sticker certifying the extension of temporary protection no later than from 1 April of the current calendar year to 31 March of the following calendar year.

(2) If, due to local conditions, the extension of temporary protection cannot be indicated in the form of a visa sticker, a record of the extension of temporary protection may be made in or outside the travel document.

§ 7d

New application for temporary protection

(1) If a foreigner who has been granted temporary protection by the Czech Republic under this Act and no longer enjoys the residence permit for the purpose of temporary protection files a new application for temporary protection and temporary protection is granted to him/her, he/she shall have the legal status under this Act that he/she had on the last recorded day of its enjoyment. The period during which the foreigner did not enjoy the granted temporary protection shall not be considered as the period of residence in the territory of the Czech Republic on the basis of temporary protection.

(2) The visa sticker or record of the granting of temporary protection shall be marked from the time of the new granting of temporary protection.

(3) A foreigner who has enjoyed temporary protection in another Member State of the European Union, or a foreigner who, before the granting of temporary protection, resided in the territory of the European Union on the basis of a residence permit issued by the Czech Republic or another Member State of the European Union for a period longer than 90 days, has, on the date of granting temporary protection by the Czech Republic for the purposes of this Act, the Act on Measures in the Field of Employment and Social Security in Connection with the Armed Conflict in the Territory of Ukraine Caused by the Invasion of the Troops of the Russian Federation and in matters of residence in the territory of the Czech Republic, the legal status of a foreigner who was granted temporary protection 6 months ago. The period during which the foreigner enjoyed temporary protection granted by another Member State of the European Union is not considered to be the period of residence in the territory of the Czech Republic on the basis of temporary protection.

§ 7e

Visa extension for the purpose of tolerance

(1) A visa for a stay of over 90 days for the purpose of tolerating a stay in the territory of the Czech Republic pursuant to Section 33(1)(a) of the Act on the Residence of Foreigners in the Territory of the Czech Republic, which does not entitle the holder to stay for the purpose of temporary protection, or pursuant to Section 33(3) of the Act on the Residence of Foreigners in the Territory of the Czech Republic, granted to a national of Ukraine or his/her family member in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation from 24 February 2022, shall be deemed valid until 31 March of each following calendar year, if the decision of the Council of the European Union pursuant to Section 1(1)(a) is in effect.

(2) A foreigner who holds a visa under paragraph 1 may appear at the Ministry of the Interior to have a visa sticker with an extended period of validity affixed; the foreigner is obliged to arrange an appointment in advance for this action, otherwise the sticker will not be affixed. The period of validity of the visa shall be indicated in the visa sticker until 31 March of the following calendar year.

(3) If, due to local conditions, the visa referred to in paragraph 1 cannot be marked in the form of a visa sticker, a record of the granting of this visa may be made in or outside the travel document.

§ 7f

(1) If the decision of the Council of the European Union pursuant to Section 1, Paragraph 1, Letter a) is effective, a visa for a stay of over 90 days shall be granted for the purpose of tolerating a stay in the territory of the Czech Republic pursuant to Section 33, Paragraph 1, Letter a) of the Act on the Residence of Foreigners in the Territory of the Czech Republic, which does not entitle a foreigner to stay for the purpose of temporary protection, or pursuant to Section 33, Paragraph 3 of the Act on the Residence of Foreigners in the Territory of the Czech Republic to a foreigner in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation, valid until 31 March of the following calendar year.

(2) If, due to local conditions, the visa referred to in paragraph 1 cannot be marked in the form of a visa sticker, a record of the granting of this visa may be made in or outside the travel document.

§ 7g

Extension of temporary protection and visa for the purpose of tolerance in an emergency situation

(1) In the event of an emergency, the Government may, by regulation, stipulate that temporary protection granted to a foreigner who registers for the extension of temporary protection pursuant to Section 7b(1) by 15 March of the current calendar year shall be deemed to be extended until 31 March of the following calendar year.

(2) The extension of temporary protection pursuant to paragraph 1 and the repeated granting of temporary protection pursuant to Section 7d paragraph 1 shall not be noted in or outside the travel document and the obligation to appear for the affixing of the visa sticker shall cease. The provisions of Section 7b paragraph 4, last sentence, shall not apply.

(3) The extension of a visa pursuant to Section 7e, paragraph 1 shall not be noted in or outside the foreigner's travel document.

Ukrainian vehicle registration

§ 7h

- (1) A driver may drive a motor vehicle with a Ukrainian license plate only if a person is registered in the Ukrainian vehicle register and is considered its operator for the purposes of the Road Traffic Act.
- (2) The condition under paragraph 1 is not required if the motor vehicle is in international traffic pursuant to an international treaty to which the Czech Republic is bound and which regulates the area of road traffic, and if it is driven by a person not specified in Section 7i.
- (3) The condition under paragraph 1 is not required in the case of a person who has been granted temporary protection or a visa for the purpose of tolerance in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation under this Act, and no more than 7 days have passed since the granting of temporary protection or this visa.

§ 7i

Only a person who is:

- a) a citizen of the Czech Republic,
- b) a foreigner who has a residence permit for more than 90 days in the territory of the Czech Republic or who has been granted international protection by the Czech Republic,
- c) a foreigner who has been granted temporary protection or a visa for the purpose of tolerance in connection with the armed conflict on the territory of Ukraine caused by the invasion of the troops of the Russian Federation, or
- d) a person who has a registered office or a branch office in the territory of the Czech Republic.

§ 7j

- (1) Any municipal authority of a municipality with extended jurisdiction shall immediately register in the register of Ukrainian vehicles, upon notification, a motor vehicle with a Ukrainian license plate and a person who is considered its operator for the purposes of the Road Traffic Act.
- (2) The notification may only be made by the person who is to be considered the operator of the vehicle or with his consent; unless the consent was signed by this person before an employee of the municipal office of the municipality with extended jurisdiction or in a manner with which a special legal regulation associates the effects of a handwritten signature, it must contain his officially certified signature. The notification shall contain his
 - a) name, or names, and surname, address of residence and personal identification number or date of birth, if a personal identification number has not been assigned to her, number of identity card or travel document, if it is a natural person,
 - b) the business name or name, or names, and surname, or a distinguishing addition, the address of its registered office and its identification number, if assigned, if it is a natural person doing business, or
 - c) the business name or name, the address of its registered office and its identification number, if assigned, if it is a legal entity.
- (3) The notification also contains information about the vehicle, which is its license plate number, factory name, trade name, type designation and vehicle identification number (VIN).
- (4) The vehicle registration certificate shall be attached to the notification.
- (5) If requested by the person who made the notification, the municipal authority of the municipality with extended jurisdiction shall issue a certificate of registration of the person who is considered to be the operator of the vehicle for the purposes of the Road Traffic Act in the Ukrainian vehicle register.

§ 7k

- (1) The Ukrainian Vehicle Registry is a public administration information system, the administrator of which is the Ministry of Transport.
- (2) The Ukrainian vehicle registry shall contain, for a vehicle with a Ukrainian license plate, the data contained in the notification about the person who is considered to be its operator for the purposes of the Road Traffic Act, and about this vehicle.
- (3) The Ministry of Transport shall ensure remote and continuous access to data contained in the Ukrainian vehicle registry to municipal authorities of municipalities with extended jurisdiction and the Police of the Czech Republic.
- (4) For the purposes of the Road Traffic Act, a person who is registered in the Ukrainian vehicle register in relation to a vehicle with a Ukrainian license plate is its operator.

§ 7l

- (1) The municipal authority of a municipality with extended jurisdiction shall cancel the registration of a person who is considered to be the operator of a vehicle for the purposes of the Road Traffic Act in the Ukrainian vehicle register if
 - a) this person has lost his/her residence, registered office or branch office in the territory of the Czech Republic,
 - b) this person has died or ceased to exist,
 - c) this person has requested the cancellation of the registration, or
 - d) another person was registered with the vehicle in this register based on a later notification.
- (2) The competent authority for cancellation of registration is:
 - a) the municipal authority of the municipality with extended jurisdiction, which entered this person into the Ukrainian vehicle register, if the procedure is pursuant to paragraph 1 letter a) or b),
 - b) any municipal authority of a municipality with extended powers, if the procedure is pursuant to paragraph 1 letter c), or
 - c) the municipal authority of a municipality with extended jurisdiction, which has registered another person in the Ukrainian vehicle register, if the procedure is pursuant to paragraph 1 letter d).

§ 7m

- (1) A driver commits an offence by driving a motor vehicle with a Ukrainian license plate, in violation of Section 7h, without a person being registered in the Ukrainian vehicle register who is considered to be its operator for the purposes of the Road Traffic Act.
- (2) A fine of up to CZK 30,000 may be imposed for an offence under paragraph 1.
- (3) The municipal authority of the municipality with extended jurisdiction shall deal with the offence under paragraph 1. The Police of the Czech Republic may deal with the offence under paragraph 1 by means of an on-site order.

§ 7n

- (1) The competence assigned to the municipal authority of a municipality with extended competence under this Act is the exercise of delegated competence.

(2) Entry into the register of Ukrainian vehicles and cancellation of this entry are acts pursuant to Part Four of the Administrative Code.

§ 7o

Special long-term stay

(1) Special long-term residence is a long-term residence permit pursuant to Section 17, letter c) of the Act on the Residence of Foreigners in the Territory of the Czech Republic.

(2) A foreigner acquires special long-term residence by receiving a residence permit card. Special long-term residence entitles a foreigner to reside in the territory of the Czech Republic for a period of 5 years.

(3) There is no legal entitlement to special long-term residence.

(4) In matters of special long-term residence that are not regulated by this Act, the procedure shall be in accordance with the Act on the Residence of Foreigners in the Territory of the Czech Republic.

(5) Parts two and three of the Administrative Code do not apply to the procedure for obtaining a special long-term residence permit.

§ 7p

Expression of interest in a special long-term stay

(1) A foreigner over 18 years of age who resides in the territory of the Czech Republic on the basis of temporary protection granted by the Czech Republic and is interested in a special long-term residence is obliged to express this interest to the Ministry of the Interior via an electronic form published on the website of the Ministry of the Interior. The expression of interest in a special long-term residence (hereinafter referred to as the "expression of interest") is made using a means of electronic identification issued within the framework of a qualified electronic identification system; no other procedure is taken into account. For a child under 18 years of age, the expression of interest is made by his or her legal representative or another person who is authorised to act on behalf of this child. The expression of interest is completed by sending a confirmation from the Ministry of the Interior of the receipt of the expression of interest to the e-mail address that the foreigner indicated in the electronic form. The expression of interest may be part of the registration for the extension of temporary protection. The expression of interest is valid for 1 year from the date of sending the confirmation of receipt of the expression of interest. A foreigner may cancel the expression of interest during the expression of interest period.

(2) Both spouses living in a common household are required to make an expression of interest, with each of them being required to indicate the other spouse in the electronic form. A foreigner or one of the spouses making an expression of interest is also required to express interest for children under the age of 18 living with them in a common household and residing in the territory of the Czech Republic on the basis of temporary protection granted by the Czech Republic. Furthermore, a foreigner is entitled to indicate in the electronic form a dependent adult child pursuant to the Act on State Social Support or a family member pursuant to Section 42a(1)(d) of the Act on the Residence of Foreigners in the Territory of the Czech Republic; the condition of loneliness does not apply. A dependent adult child pursuant to the Act on State Social Support and a family member pursuant to Section 42a(1)(d) of the Act on the Residence of Foreigners in the Territory of the Czech Republic may indicate in the electronic form a family member with whom they will be assessed together; If the electronic form lists a family member with whom they will be assessed together, the expression of interest of a dependent adult child under the Act on State Social Support or a family member under Section 42a (1) (d) of the Act on the Residence of Foreigners in the Czech Republic is valid only if the family member with whom they will be assessed together has also listed these persons in the electronic form. If at least 1 other person is listed in addition to the foreigner, this is a joint expression of interest and these persons will be assessed together.

(3) If a foreigner has not fulfilled the obligation to jointly express interest, the registration of interest shall expire, even retroactively, on the day following the end of the period for expressing interest set out in paragraph 6.

(4) By expressing interest, the foreigner agrees that the Ministry of the Interior will collect the data specified in Section 7r on his person and persons under the age of 18 for whom he expresses interest in a special long-term residence.

(5) The Ministry of the Interior maintains a non-public list of persons who have expressed interest in a special long-term residence permit (hereinafter referred to as the "list of interested persons"), indicating the possibility of registering for a special long-term residence permit (hereinafter referred to as the "registration for residence").

(6) The Government shall set a period for expressing interest by regulation.

§ 7q

Designation of persons

(1) The Ministry of the Interior shall mark in the list of interested persons a foreigner who has been granted temporary protection under this Act and who, on the date decisive for fulfilling the conditions for registration for residence (hereinafter referred to as the "decisive date")

a) is the holder of a valid travel document pursuant to Section 108(1)(a) of the Act on the Residence of Foreigners in the Territory of the Czech Republic,

b) resides in the territory of the Czech Republic continuously on the basis of temporary protection granted by the Czech Republic for a period of at least 2 years; the 2-year condition does not apply to persons listed in the joint expression of interest (hereinafter referred to as "jointly registered persons") who are under 18 years of age,

c) according to the data submitted to the Ministry of the Interior pursuant to Section 7r, he/she has been registered with public health insurance for at least 2 years continuously and has no arrears in public health insurance premiums; the 2-year condition does not apply if the person is a jointly registered person under the age of 18,

d) according to the data submitted to the Ministry of the Interior pursuant to Section 7r, has an annual total income for the period specified by government regulation of at least the amount specified by government regulation,

e) for the period specified by government regulation, he/she was not a recipient of humanitarian benefits according to the data submitted to the Ministry of the Interior pursuant to Section 7r,

f) is, according to the data submitted to the Ministry of the Interior pursuant to Section 7r, a taxpayer of personal income tax with income

1. from dependent activity, independent activity, income from capital assets, income from rent or other income and its personal income tax base for the tax period specified by government regulation is at least the amount specified by government regulation,

2. from independent activity in a flat-rate regime within the range specified by a government regulation, his personal income tax for this tax period is equal to the flat-rate tax and the amount considered as income is in the amount specified by a government regulation; when determining the amount considered as income, the government shall base itself on the specified flat-rate regime range,

g) has a reported place of residence in the Czech Republic and it is not a place of residence pursuant to Section 6a, paragraph 4 and

h) if he/she is a person who reached the age of six to fourteen in the immediately preceding school year, according to the data submitted to the Ministry of the Interior by the Ministry of Education, Youth and Sports pursuant to Section 5b of Act No. 67/2022 Coll.

1. a student of a school registered in the register of schools and school facilities in which he/she fulfils compulsory school attendance, or

2. educated according to Section 42 of the Education Act, if the person is severely mentally disabled.

(2) For jointly registered persons, the annual aggregate income under paragraph 1(d) and the amounts under paragraph 1(f) are calculated jointly for all jointly registered persons.

(3) If any of the jointly registered persons does not meet the conditions for registration for residence pursuant to paragraph 1, it shall be deemed that none of the jointly registered persons has met the conditions for registration for residence.

(4) The Government shall determine by regulation the period of residence registration and the decisive date for fulfilling the conditions for residence registration pursuant to paragraph 1.

§ 7r

Data sources

(1) For the purpose of specifying the data pursuant to Section 7q, paragraph 1, the Ministry of the Interior shall send to the Ministry of Labour and Social Affairs, the Ministry of Finance and the administrator of the register of all public health insurance policyholders data on foreigners who, as of the relevant date, meet the condition pursuant to Section 7q, paragraph 1, letter b), and on jointly registered persons under the age of 18 residing in the territory of the Czech Republic on the basis of temporary protection granted by the Czech Republic.

(2) The Ministry of Labour and Social Affairs shall send the Ministry of the Interior, at its request, information on whether the foreigner was a recipient of humanitarian benefits as of the relevant date for the period specified by the Government Regulation, and information on his/her annual total income, unless it is income from self-employment; the annual total income of a foreigner shall be understood as the total of the insured person's assessment bases for the calendar year according to the records of the Czech Social Security Administration.

(3) The General Financial Directorate shall send the Ministry of the Interior, at its request, information on the personal income tax base as of the relevant date, in the case of personal income tax payers residing in the territory of the Czech Republic on the basis of temporary protection granted by the Czech Republic, with income from self-employment, income from capital assets, income from rent or other income; it shall also send information on whether the tax of taxpayers with income from self-employment is equal to the flat-rate tax, and the designation of the flat-rate regime band chosen by the taxpayer.

(4) The administrator of the register of all public health insurance policyholders shall assess whether the condition of continuous registration with public health insurance for at least 2 years pursuant to Section 7q, paragraph 1, letter c) has been met as of the decisive date and shall forward the data on the foreigner to the health insurance company with which the foreigner is insured (hereinafter referred to as the "relevant health insurance company").

(5) The relevant health insurance company shall verify that the condition of continuous public health insurance for at least 2 years has been met pursuant to Section 7q, paragraph 1, letter c) and shall provide information on whether the foreigner has or has not paid arrears of public health insurance premiums as of the relevant date.

(6) The relevant health insurance companies shall send the supplemented data on foreigners pursuant to paragraph 5 to the Ministry of the Interior.

§ 7s

Registration for stay

(1) Registration for residence shall be carried out by a foreigner over 18 years of age who resides in the territory of the Czech Republic on the basis of temporary protection granted by the Czech Republic and is indicated in the list of interested parties pursuant to Section 7q, paragraph 1, using an electronic form published on the website of the Ministry of the Interior. Registration for residence shall be carried out by a foreigner using a means of electronic identification issued within the framework of a qualified electronic identification system; no other procedure shall be taken into account. The foreigner is obliged to provide data pursuant to Section 54 of the Act on the Residence of Foreigners in the Territory of the Czech Republic.

(2) A foreigner registering for residence is obliged to register for residence of jointly registered persons together with his/her registration for residence. If a foreigner registers for residence jointly with a dependent adult child, he/she shall attach to the electronic form pursuant to paragraph 1 an electronic copy of the document proving the dependency of the adult child and a document proving family ties between jointly registered persons.

(3) Registration for residence includes sending a confirmation of registration for residence to the e-mail address that the foreigner has indicated in the electronic form. The confirmation of registration for residence contains the date and address of the Ministry of the Interior office where the foreigner and jointly registered persons are to appear for the collection of biometric data.

(4) The data contained in the list of interested persons shall not be provided under the Act on Free Access to Information. The Ministry of the Interior shall make available to the foreigner information on whether the individual conditions for registration for residence pursuant to Section 7q paragraph 1 have been met or not, based on the data collected by the Ministry of the Interior on his person and on jointly registered persons under the age of 18 pursuant to Sections 7q and 7r. The Ministry of the Interior shall make available only this data to the foreigner who has not met the condition pursuant to Section 7q paragraph 1 letter b). If the foreigner believes that the data in the list of interested persons is incorrect, he shall contact only the person who submitted the data to the list of interested persons.

§ 7t

Receiving a residence permit card

(1) For the purposes of issuing a residence permit, a foreigner is obliged to submit to the collection of current biometric data.

(2) Before biometric data is collected, the foreigner and jointly registered persons are personally obliged to:

- a) present a travel document,
- b) submit proof of the dependent adult child, if there is a dependent adult child among the jointly registered persons,
- c) submit documents on family ties between jointly registered persons and
- d) pay an administrative fee in the amount corresponding to the administrative fee for accepting an application for the issuance of a residence permit card.

(3) If there is a foreigner among the jointly registered persons pursuant to Section 7q, paragraph 1, letter h) and if the Ministry of the Interior has not obtained data on his/her school attendance from the Ministry of Education, Youth and Sports pursuant to Section 5b of the Act on Measures in the Field of Education in Connection with the Armed Conflict in the Territory of Ukraine Caused by the Invasion of the Troops of the Russian Federation, the foreigner is obliged, at the request of the Ministry of the Interior, to provide evidence of the fulfillment or completion of compulsory school attendance or a decision on the postponement of compulsory school attendance.

(4) The documents referred to in paragraphs 2 and 3 shall be submitted by the foreigner in the form provided for in Section 55 of the Act on the Residence of Foreigners in the Czech Republic; an officially certified translation into Czech is not required.

(5) No later than before the alien receives the residence permit card, the Ministry of the Interior shall verify whether the residence registration has been carried out for all jointly registered persons and whether the alien and the jointly registered persons

- a) they have been residing in the territory of the Czech Republic since the relevant date on the basis of temporary protection granted by the Czech Republic,

- b) they are not listed in the Schengen Information System as persons to be refused entry or residence, or in the register of undesirable persons,
 - c) they meet the condition of criminal record pursuant to Section 174 of the Act on the Residence of Foreigners in the Territory of the Czech Republic; this does not apply to foreigners under the age of 15, and
 - d) based on information or an opinion of the Police of the Czech Republic or the intelligence services of the Czech Republic, they do not pose a threat to public order or state security.
- (6) If an obstacle pursuant to paragraph 5 is detected before the acquisition of biometric data, the Ministry of the Interior shall cancel the deadline for the acquisition of biometric data for the foreigner and jointly registered persons; the Ministry of the Interior shall notify the foreigner of the cancellation of the deadline and of which obstacle pursuant to paragraph 5 has been detected to his/her e-mail address. By canceling the deadline for the acquisition of biometric data, the residence registration of the foreigner and jointly registered persons shall expire.
- (7) If a failure to comply with any of the obligations under paragraphs 2 and 3 is detected on site, the Ministry of the Interior shall set 1 alternative joint date for the collection of biometric data for the foreigner and jointly registered persons.
- (8) If a foreigner has submitted forged or altered documents during the residence registration process, if he/she has not fulfilled any of the obligations under paragraphs 2 and 3 after setting an alternative date, or if an obstacle under paragraph 5 has been discovered only on site when obtaining biometric data or before receiving the residence permit card, the Ministry of the Interior shall notify the foreigner thereof on site and shall not obtain the biometric data of the foreigner or any of the jointly registered persons or shall not hand over the residence permit card. The residence registration shall expire on this day.
- (9) The Ministry of the Interior shall set a common deadline for the alien and jointly registered persons to receive the residence permit; the residence permit shall be handed over to the alien and jointly registered persons at the same time.

Special provisions

§ 7u

- (1) An application for temporary protection from a foreigner who is or was the holder of a special long-term residence permit is inadmissible; Section 5(2) shall apply mutatis mutandis to the procedure of the Ministry of the Interior or the Police of the Czech Republic. The first sentence shall not apply if the foreigner's special long-term residence permit has been revoked.
- (2) If a jointly registered person resided in the territory of the Czech Republic on the relevant date on the basis of temporary protection granted by the Czech Republic, but then no longer met this condition, his repeated application for temporary protection shall be considered as registration for residence, if the other jointly registered persons are holders of a special long-term residence permit card. If a person does not meet the conditions for registration for residence or for obtaining biometric data under this Act pursuant to the first sentence, the Ministry of the Interior shall continue the procedure for granting temporary protection. The documents pursuant to Section 7t, paragraph 2, letters b) and d) and Section 7t, paragraph 3 shall be submitted by the foreigner upon request.
- (3) If a foreigner dies before receiving the residence permit card, the expression of interest or registration for residence shall expire on the date of his death.
- (4) If a jointly registered person dies before receiving the residence permit card, the Ministry of the Interior shall remove the data specified in Section 7q, paragraph 1 for this person from the joint residence registration and shall re-indicate whether the other jointly registered persons meet the conditions pursuant to Section 7q, paragraph 1, letters d) and f). If the jointly registered persons no longer meet the conditions pursuant to Section 7q, paragraph 1, letters d) and f), the residence registration shall lapse.
- (5) If a child is born to a foreigner before the receipt of the residence permit card, the Ministry of the Interior shall add the born child to the joint residence registration and shall again indicate whether the jointly registered persons meet the conditions pursuant to Section 7q, paragraph 1, letters d) and f). If the jointly registered persons no longer meet the conditions pursuant to Section 7q, paragraph 1, letters d) and f), the residence registration shall be terminated.

§ 7v

The provisions of the Population Registration Act governing the assignment of birth numbers to foreigners do not apply to holders of a special long-term residence permit.

§ 7w

- (1) The provisions of the Act on the Residence of Foreigners in the Territory of the Czech Republic regarding the purpose of residence shall not apply.
- (2) The holder of a special long-term residence permit is not entitled to apply for another type of long-term residence permit under the Act on the Residence of Foreigners in the Czech Republic; this does not apply to applications for long-term residence permits for the purpose of family cohabitation in the Czech Republic, studies in the Czech Republic, scientific research or applications for the issuance of a blue card.
- (3) The validity of the special long-term residence permit shall expire upon the issuance of another residence permit pursuant to the Act on the Residence of Foreigners in the Czech Republic.
- (4) The holder of a special long-term residence permit is not obliged to complete an adaptation-integration course.
- (5) The Ministry of the Interior shall not extend the validity of a special long-term residence permit if the holder of the special long-term residence permit has resided outside the territory of the European Union for a continuous period of more than 12 months and this stay was not justified by serious reasons, in particular pregnancy and birth of a child, serious illness, study or professional training or a work assignment abroad.
- (6) For the purposes of permanent residence pursuant to Section 68 of the Act on the Residence of Foreigners in the Territory of the Czech Republic, the period of residence based on temporary protection granted by the Czech Republic shall be counted towards the period of residence by one half pursuant to Section 68(2)(d) point 1 of the Act on the Residence of Foreigners in the Territory of the Czech Republic.

Special rules for acquiring citizenship

§ 7x

- (1) For the purpose of protecting the security and foreign policy interests of the Czech Republic in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation, citizenship of the Czech Republic may be granted to a natural person who was a citizen of the Russian Federation on the date of submission of the application for citizenship of the Czech Republic, provided that he or she submits a document confirming the loss of citizenship of the Russian Federation.
- (2) The provisions of paragraph 1 shall not apply
- a) if the person to whom citizenship of the Czech Republic is to be granted is an asylum seeker,
 - b) in the case of an application pursuant to Section 16 of the Act on Citizenship of the Czech Republic,
 - c) in the case of an application pursuant to Section 28 of the Act on Citizenship of the Czech Republic.
- (3) In the application procedure, if the conditions under Sections 13 and 14 of the Act on Citizenship of the Czech Republic are met, the Ministry of the Interior shall, before issuing a decision, issue the applicant with a promise of granting citizenship of the Czech Republic pursuant to paragraph 1, invite

the applicant to provide proof of loss of citizenship of the Russian Federation and suspend the procedure. If the applicant fails to provide the proof within the specified period, the Ministry of the Interior shall suspend the procedure.

(4) Citizenship of the Czech Republic shall be acquired on the basis of a declaration by a person who was a citizen of the Russian Federation on the date of making the declaration on the acquisition of citizenship of the Czech Republic, if he or she presents a document on the loss of citizenship of the Russian Federation. When verifying the fulfillment of the conditions for the acquisition of citizenship of the Czech Republic by declaration, the administrative authorities shall proceed analogously according to paragraph 1, paragraph 2 letter a) and paragraph 3.

§ 7y

(1) The proceedings on an application for the granting of citizenship of the Czech Republic, submitted by a citizen of the Russian Federation or on behalf of a citizen of the Russian Federation over the age of 15, shall be suspended on the day following the day on which the application is delivered to the Ministry of the Interior in accordance with the procedure laid down in Section 21(1) of the Act on Citizenship of the Czech Republic.

(2) Proceedings interrupted pursuant to paragraph 1 shall be continued on the day following the date on which the provisions of Section 2 of this Act cease to be effective.

(3) In proceedings on a joint application pursuant to Section 18 of the Act on Citizenship of the Czech Republic interrupted pursuant to paragraph 1, in which a person who is not a citizen of the Russian Federation is also a party to the proceedings, the Ministry of the Interior shall, by resolution, exclude the application concerning this person from the joint proceedings and decide on it separately.

(4) The provisions of paragraph 1 shall not apply

- a) if the person to whom citizenship of the Czech Republic is to be granted is an asylum seeker,
- b) in the case of an application pursuant to Section 16 of the Act on Citizenship of the Czech Republic,
- c) in the case of a special request pursuant to Section 28 of the Act on Citizenship of the Czech Republic.

(5) In proceedings concerning the declaration of acquisition of citizenship of the Czech Republic made by a citizen of the Russian Federation or on behalf of a citizen of the Russian Federation over 15 years of age, the provisions of paragraphs 1, 2 and paragraph 4 letter a) shall apply mutatis mutandis.

§ 8

Transitional provisions

(1) The provisions of this Act shall also apply to a foreigner who, before the date of entry into force of this Act, was granted a visa for a stay of over 90 days for the purpose of tolerating his stay in the territory of the Czech Republic pursuant to Section 33(1)(a) of the Act on the Stay of Foreigners in the Territory of the Czech Republic, which has been issued since 24 February 2022 in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation. From the date of entry into force of this Act, this foreigner is considered to be a foreigner who has been granted temporary protection pursuant to this Act.

(2) A foreigner who was provided with health services in the territory of the Czech Republic before the date of entry into force of this Act, but not earlier than 24 February 2022, and who was subsequently granted a visa for a stay of over 90 days for the purpose of tolerating a stay in the territory of the Czech Republic pursuant to Section 33(1)(a) of the Act on the Stay of Foreigners in the Territory of the Czech Republic, which is issued from 24 February 2022 in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation, or who was subsequently granted temporary protection pursuant to this Act, shall, from the date of the first provision of health services in the territory of the Czech Republic, but not earlier than 24 February 2022, until the date of granting this visa or temporary protection pursuant to this Act, be considered, for the purposes of reimbursement of the health services provided, a person pursuant to Section 2(1)(b) point 5 of the Act on Public Health Insurance.

(3) A child born in the territory of the Czech Republic before the date of entry into force of this Act, but no earlier than 24 February 2022, to a foreigner with a visa granted pursuant to paragraph 2 or a visa for the purpose of temporary protection, shall, from the date of birth, be considered, for the purposes of reimbursement of health services provided, a person pursuant to Section 2, paragraph 1, letter b), point 5 of the Act on Public Health Insurance, for a period of no longer than 60 days from the date of birth.

§ 9

Efficiency

This Act shall enter into force on the date of its promulgation.

Transitional provision introduced by Act No. 198/2022 Coll. Art. II

Contracts for the provision of accommodation concluded by a region, the capital city of Prague, a municipality with extended jurisdiction, a city district or a city district for the purpose of providing emergency accommodation or temporary emergency shelter before the date of entry into force of this Act are considered agreements pursuant to Section 6d, paragraph 2 of Act No. 65/2022 Coll., as amended by this Act.

Transitional provisions introduced by Act No. 20/2023 Coll. Art. II

1. The provisions of Act No. 65/2022 Coll., on certain measures in connection with the armed conflict in the territory of Ukraine provoked by the invasion of the troops of the Russian Federation, as amended from the date of entry into force of this Act, also apply to an application for temporary protection or a visa for a stay of over 90 days for the purpose of tolerating a stay in the territory of the Czech Republic pursuant to Section 33, paragraph 1, letter a) of Act No. 326/1999 Coll., on the stay of foreigners in the territory of the Czech Republic and on the amendment of certain acts, as amended from the date of entry into force of this Act, which does not entitle to stay for the purpose of temporary protection, or pursuant to Section 33, paragraph 3 of Act No. 326/1999 Coll., as amended on the date of entry into force of this Act, granted to a foreigner in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation from February 24, 2022, filed from January 1, 2023 until the date of entry into force of this Act.

2. The procedure for an application for a long-term residence permit pursuant to Section 43 of Act No. 326/1999 Coll., on the residence of foreigners in the territory of the Czech Republic and on amendments to certain acts, as amended on the date of entry into force of this Act, submitted by the holder of a visa for a stay of over 90 days for the purpose of tolerating a stay in the territory of the Czech Republic pursuant to Section 33, paragraph 1, letter a) of Act No. 326/1999 Coll., as amended on the date of entry into force of this Act, which does not entitle to stay for the purpose of temporary protection, or pursuant to Section 33, paragraph 3 of Act No. 326/1999 Coll., as amended on the date of entry into force of this Act, granted to a foreigner in connection with the armed conflict in the territory of Ukraine caused by the invasion of the troops of the Russian Federation from 24 February 2022, shall be terminated on the date of entry into force of this Act.

Transitional provisions introduced by Act No. 75/2023 Coll. Art. VIII

1. For a person who, as of March 31, 2023, used temporary emergency shelter or emergency accommodation pursuant to Act No. 65/2022 Coll., as amended before the date of entry into force of this Act, the period for which he/she used temporary emergency shelter or emergency accommodation shall be counted towards the period of 150 days of free accommodation pursuant to Section 6b, paragraph 2 of Act No. 65/2022 Coll., as amended from the date of entry into force of this Act.
2. The person referred to in point 1, who has completed the period of 150 days of free accommodation pursuant to Section 6b, paragraph 2 of Act No. 65/2022 Coll., as amended from the date of entry into force of this Act, by 31 March 2023 at the latest, shall be provided with emergency accommodation and related services for persons granted temporary protection free of charge until the ninetieth day from the date of entry into force of this Act.
3. The person referred to in point 1 who, within 90 days from the date of entry into force of this Act, completes the period of 150 days of free accommodation in emergency accommodation pursuant to Section 6b, paragraph 2 of Act No. 65/2022 Coll., as amended from the date of entry into force of this Act, shall be provided with emergency accommodation and related services for persons granted temporary protection free of charge until the ninetieth day from the date of entry into force of this Act.
4. Accommodation provided pursuant to points 1 to 3 is considered to be accommodation provided free of charge within the meaning of Section 6b, paragraph 2 of Act No. 65/2022 Coll., as amended from the date of entry into force of this Act.
5. Temporary emergency shelter capacities pursuant to Act No. 65/2022 Coll., as amended before the date of entry into force of this Act, shall be deemed to be emergency accommodation capacities pursuant to Act No. 65/2022 Coll., as amended from the date of entry into force of this Act. Unless the contracting parties agree on an agreement on the basis of which the capacities pursuant to the first sentence were included in the register, otherwise, this agreement shall cease to be valid on the fifteenth day from the date of entry into force of this Act.

Transitional provisions introduced by Act No. 454/2023 Coll. Art. II

1. A document of accommodation submitted by a foreigner to the competent authority pursuant to Act No. 65/2022 Coll., as amended, before the date of entry into force of this Act shall be considered a document of accommodation pursuant to Section 6(1) of Act No. 65/2022 Coll., as amended from the date of entry into force of this Act.
2. If the government establishes rules for assisted voluntary return pursuant to Section 6(11) of Act No. 65/2022 Coll., as amended from the date of entry into force of this Act, by 31 March 2024, the deadline for submitting an application pursuant to Section 6(12) of Act No. 65/2022 Coll., as amended from the date of entry into force of this Act, shall not expire earlier than 1 April 2024.
3. The provisions of Section 6(13) of Act No. 65/2022 Coll., as amended from the date of entry into force of this Act, shall, from the date of commencement of the provision of assisted voluntary return pursuant to Section 6(11) of Act No. 65/2022 Coll., as amended from the date of entry into force of this Act, apply only to applications for voluntary return on the basis of which no costs have been incurred for the implementation of voluntary return as of that date.
4. In the case of a citizen of Ukraine who is insured under the Act on Public Health Insurance and who proves to the health insurance company that he or she traveled to Ukraine before the date of entry into force of this Act, the provisions of Section 7a of Act No. 65/2022 Coll., as amended before the date of entry into force of this Act, shall apply.
5. If, in the period from 1 July 2023 to 30 September 2023, accommodation was provided free of charge to a person referred to in Section 6b(1)(a) or (e) points 1 to 6 of Act No. 66/2022 Coll., on measures in the field of employment and social security in connection with the armed conflict in the territory of Ukraine provoked by the invasion of the troops of the Russian Federation, as amended by Act No. 75/2023 Coll., for a period exceeding 150 days, it shall be deemed to have been provided in accordance with Section 6b(3) of Act No. 65/2022 Coll., on certain measures in connection with the armed conflict in the territory of Ukraine provoked by the invasion of the troops of the Russian Federation, as amended by Act No. 75/2023 Coll.
6. For a person who, as of August 31, 2024, used accommodation pursuant to Section 6b of Act No. 65/2022 Coll., as amended before the date of entry into force of this Act, the period for which the accommodation was used shall be counted towards the period of 90 days of free accommodation pursuant to Section 6b, paragraph 2 of Act No. 65/2022 Coll., as amended from the date of entry into force of this Act.

Transitional provision introduced by Act No. 24/2025 Coll. Art. II

The provisions of Sections 7x and 7y of Act No. 65/2022 Coll., as amended from the date of entry into force of this Act, shall also apply to applications for citizenship of the Czech Republic submitted before the date of entry into force of this Act, unless a decision has been made on them pursuant to Section 24(1) of the Act on Citizenship of the Czech Republic.

Pekarová Adamová vr

Zeman in

Violet in

Footnotes

- ¹) Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures ensuring a balance of efforts between Member States in receiving such persons and the resulting consequences.
- ²) For example, the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part, on the free movement of persons.
- ³) Annexes V and VIII to the Agreement on the European Economic Area, as amended.
- ⁴) Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast).