

Press Release



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| Embargo & Release Date | June 29, 2021 |
| Division in charge | Visa and Residence Division, KIS |
| Point of contact | KIM, Jeong Do (Director) / 02-2110-4058 Lim, Eun Jin (Deputy Director) / 02-2110-4066 |

Period of Stay will be granted only within passport validity period for foreigners staying in the ROK

- Criteria to grant period of stay have changed -

- The Ministry of Justice (Minister Park Beom Kye) has announced that it will grant the period of stay for foreign nationals staying in the country only within their passport validity period when granting them permission to stay, effective from July 1 (Thurs.), 2021.**
- Up to now, the ministry has granted the period of stay beyond their validity of passport and required them to renew his/her passport afterwards to alleviate crowdedness at local immigration offices as well as to better accommodate foreign residents' needs related to civil petitions. However, some of foreigners have met with difficulties involving the immigration clearance process or been imposed with administrative fines for failing to renew or report his/her passport renewal in time. Against such a background, this newly introduced measure aims to ensure that the period of stay is consistent with the validity period of passport to prevent such inconveniences for foreign residents in the country.

□ **The measure, however, will have transitional provisions for certain period of time after its implementation in order to minimize the inconvenience caused to foreign residents given that international travel is restricted due to the COVID-19 pandemic and having passports re-issued is not readily available for foreign nationals residing in the ROK.**

○ In this sense, the period of stay will be granted within one (1) year until June 30, 2022 for applicants having less than 1 year validity by recognizing the remaining passport validity as valid one (1) year.

※ Case 1) Foreigners whose passport is valid for 5 months will be given Period of Stay of one (1) year, even if he/she is eligible for Period of Stay for 2 years or above with fulfillment of the relevant requirements for permission to stay

Case 2) Foreigners whose passport is valid for 1 year and 2 months will be given Period of Stay of 1 year and 2 months, even if he/she is eligible for Period of Stay for 2 years or above with fulfillment of the relevant requirements for permission to stay

○ Starting from July 1, 2022, one year into its implementation, in case where having passport re-issued is practically impossible within the remaining period of stay for reasons of lost passport and others, the period of stay will be given within the 6 month period, limited to once, by recognizing the passport validity period of less than 6 months as valid 6 months.

※ Case 1) Foreigners whose passport is valid for 5 months will be given Period of Stay of 6 months, even if he/she is eligible for Period of Stay for 2 years or above with fulfillment of the relevant requirements for permission to stay

Case 2) Foreigners whose passport is valid for 8 months will be given Period of Stay of 8 months, even if he/she is eligible for Period of Stay for 2 years or above with fulfillment of the relevant requirements for permission to stay

- Meanwhile, this new measure does not apply to foreign residents exempted from Foreigner Registration, including Diplomat (A-1), Foreign Government Official (A-2), International Agreement (A-3), those with refugee recognition status and humanitarian status holders.**

※ Status of Stay not subject to the Measure

- ① Diplomat (A-1), Foreign Government Official (A-2), International Agreement (A-3), Permanent Resident (F-5)
- ② Those recognized as refugee (F-2)/ Family members (F-1), Humanitarian status holders/ Those applying for refugee status/ Family members (G-1)
- ③ Stateless person

- The implementation of the measure is expected to reduce imposition of fines* for failure to report passport renewal to local immigration offices and foreign residents with expiring passports are recommended to either renew their passports prior to the expiration of validity or have it re-issued before applying for permission to stay in the ROK.

* Foreign nationals with Foreigner Registration are obligated to report changes in registration matters within 15 days of the change, including name, gender, passport number and others. Failure to do so can lead to imposition of administrative fines.

※ A total of 8,768 foreigners were subject to administrative fines of less than 1 million KRW for violation of the obligation to report changes in passport number in the year 2019.