

On 25 May 2021, the Seimas of the Republic of Lithuania almost unanimously adopted a package of legal amendments, which will ensure the right of companies investing in the creation of new jobs in Lithuania to hire foreign employees on a preferential basis.

Amendments have been made to the provisions of the Law on Investments, the Law on the Legal Status of Aliens, and the Law on Employment.

This is the so-called employee relocation package, which will help companies and company groups from third countries, especially Belarus, committed to investing in Lithuania to relocate employees and their family members to Lithuania without any major bureaucratic obstacles.

These legal amendments shall come into force on 15 June 2021, and the legal acts implementing them will have to be adopted by the 14th of June.

Amendments to the Law on Investments stipulate the following basic conditions for granting the right to hire foreigners on a preferential basis:

- An agreement must be concluded between the investing company and the institution authorized by the Government, under which special investment and business conditions are established;
- The amount of investments must not be less than 1.45 million euros;
- The annual revenue of the investor's company or group of companies must not be less than EUR 2 500 000 over the last three years for at least one financial year;
- The investor undertakes to invest in the creation of new jobs in the Republic of Lithuania, where the average monthly salary of persons hired under employment contracts would be not less than 1.5 times the average monthly salary of the municipality in which investments are made, which is last published by Statistics Lithuania prior to the conclusion of the investment agreement.

A company that meets the above requirements, as supported by documents issued by a public body authorized by the Minister of Economy and Innovation of the Republic of Lithuania, will be subject to the conditions of preferential employment of foreign workers, compared to those laid down in the provisions of the Law on the Legal Status of Aliens, namely:

- Not only highly qualified, but also all transferred employees who work or have worked in the group of the investing company for at least three months before the conclusion of the investment agreement will be able to apply for residence permits in Lithuania;
- The Employment Service will not assess the qualifications or work experience of such employees - the investor himself will decide on their suitability for work;
- The family members of foreign employees will also not be assessed in terms of whether they meet the needs of the labour market - they will have the right to work in Lithuania and will receive temporary residence permits of the same validity period;
- A temporary residence permit may also be obtained by the investor or participant thereof, who owns at least 1/10 of the authorized capital of an enterprise established in the Republic of Lithuania, which, according to the investment agreement, provides for the creation of jobs in the Republic of Lithuania, and whose funds invested in this enterprise amount to at least 14,000 euros;
- A foreigner who comes to work in a workplace established in the Republic of Lithuania under an investment agreement may start working during the period of his/her legal stay in the Republic of Lithuania after applying for a temporary residence permit in the Republic of Lithuania;
- A temporary residence permit in the Republic of Lithuania shall be issued to a foreigner or replaced for a period of three years, but not longer than until the expiration of the investment agreement.

It is also important to note that investors implementing investment agreements concluded before the entry into force of these amendments to the Law on Investments and meeting the aforesaid conditions shall have the right to apply to the Government of the Republic of Lithuania or its authorized institution within 6 months from the entry into force of these amendments regarding amendment of the existing investment agreements, from the date of entry into force of which they will be subject to the new concessions.