



CERHA HEMPEL CEE NEWSLETTER *SLOVENIA*

Amendments to the Foreigners Act

The Foreigners Act (Official Gazette, 50/11 et seq., hereinafter the "Act") fundamentally regulates the legal and factual status of foreigners. The Act regulates the entry of foreigners into the Republic of Slovenia, the acquisition of visas and residence permits, their egress from the country, voluntary departure, and the expulsion of foreigners.

The latest amendment to the Act, Amendment H, entered into force on 16 November 2023 and marks a significant change in the approach taken towards the integration of and legal requirements for non-EU citizens residing in the country.

The key points from the amendment are summarized below:

1. **Language Proficiency Adjustments.** The amendment lowers the required level of proficiency in Slovenian for non-EU citizens who are aiming to reunite with family or to extend their temporary residence, from A1 to the "survival level." This level emphasizes basic communication skills for everyday situations, making it somewhat easier for non-EU family members to meet the language requirement.
2. **Free Language Education and Exam.** Certain non-EU citizens are now entitled to attend Slovenian publicly recognized educational programs and take a proficiency exam free of charge. This policy is designed to aid faster integration by removing financial barriers to learning Slovenian. The amendment expands this benefit to include individuals under temporary protection, highlighting a broader inclusivity for various categories of foreigners.

3. **Simplified Family Reunification.** The residency requirement for foreigners to be eligible for family reunification has been reduced from two years to one year. This change is likely to facilitate quicker family reunifications, contributing to better integration and stability for non-EU residents in Slovenia.
4. **Proof of Language Proficiency.** Various ways to demonstrate proficiency in Slovenian have been added, including certificates from recognized educational programs, and educational programs previously completed in Slovenia and age considerations are also taken into consideration. This provides flexibility and acknowledges the diverse backgrounds and capabilities of non-EU citizens.
5. **Phased Implementation.** The amendment introduces a transitional period for the implementation of these changes, particularly the language proficiency requirements, with full enforcement starting from 1 November 2024.
6. **Integration and Permanent Residency.** While the survival level proficiency is required for extending temporary permits, obtaining a permanent residence permit still necessitates a higher level of language proficiency (basic level A2). This structure incentivizes continuous language learning and integration.

Overall, Amendment H aims to streamline the integration process for non-EU citizens by making language learning more accessible and adjusting the requirements for family reunification.



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