

### **Article 38**

#### **(Temporary residence for the purpose of highly qualified employment - the Blue Card – TR-7-1)**

(1) Additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, the Employer shall support an application for approval or extension of temporary residence for the purpose of highly qualified employment – the Blue Card with:

- a) evidence for higher education qualification,
- b) evidence for professional experience of at least five years acquired after completing the formal higher education, and
- c) Employment Contract or another relevant contract for performing duties of highly qualified worker for at least one year period.

(2) Employment Contract from Paragraph (1) Indent c) herein shall specify his/her gross annual income not lesser than 1.5 of the average gross annual income in BiH according to official data published by the authority responsible for statistics in BiH

(3) Prior to issuance of a decision, the Service shall make *ex officio* check the following with the BiH Labour and Employment Agency:

- a) if his/her residence application filed for the purpose of highly qualified employment was preceded by a vacancy announced by an Employer intending to employ an alien.
- b) if Employer has advertised the job in at least three daily newspapers available on the entire territory of BiH with the application deadline of 30 days,
- c) if job advertisement was submitted to the BiH Agency for Labour and Employment,
- d) if the BiH Agency for Labour and Employment made this vacancy available to all employment institutions in BiH,
- e) if a higher education qualification and professional experience of at least five years acquired upon completed formal higher education was required for the vacant post , and
- f) if there is a vacant post for issuance of a Blue Card.

(4) In the event of termination of the service contract or if a Blue Card holder change his/her Employer under Article 74 (Blue Card Employment), Paragraph (2), (3) and (4) of the Law, he/she is required to notify the Service thereof within eight days from the day of such change.