



UKRAINE

Residence by Marriage



It's the big day: you've finally found your soulmate and decided to get married. The only problem that overshadows this major event: you don't know how to go about it at all, nor where to start. Don't panic, Red Kite Consulting is here to accompany you, to make the process easier: administrative procedures, meetings, ceremonies.

If getting married in Ukraine is what will allow you to tie the knot with your heart's chosen one, you will also benefit from the possibility of obtaining a Ukrainian residence permit. This residence permit will give you the right to reside legally in Ukraine, an advantage not to be overlooked when you know that, economically, the country is far from being left behind on the international scene. With more positive economic growth each year and government measures in favour of investors, your residence permit will make your life easier if you want to take advantage of the country's flourishing financial prospects for the future.

Acquiring a property in Ukraine or investing in any other area will be easier for you with a residence permit on the territory.

If you want to reside in Ukraine, marriage will facilitate your application. The residence permit is a first step towards Ukrainian citizenship, should you wish to acquire it.

Having Ukrainian citizenship will allow you to reside in the country as a Ukrainian, to enjoy the same rights as a Ukrainian, and above all, beyond tying you to a country you cherish, acquiring Ukrainian citizenship will help you avoid redundant application procedures.



MARRIAGE WITH THE CITIZEN OF UKRAINE.

If your beloved one is a citizen of Ukraine, you are fully entitled to apply for the permanent residence permit in Ukraine on condition that you have legitimately resided in Ukraine for more than two years.

However, you should take into consideration the following important issues:

- **Place of marriage registration.** There is no critical difference where the marriage is concluded. Ukrainian law recognizes both marriages, which have been concluded in Ukraine, as well as those, which have been registered abroad. However, you should make sure that your foreign marriage certificate, confirming your marital status with the citizen of Ukraine, has been either duly translated for use in Ukraine or that it has apostil;
- **Sharing abode with your partner.** Although it is naturally expected from a husband and a wife, neither the immigration law of Ukraine requires living together, nor sets forth that spouses should have the same place of registration. However, living or having the same registered place of residence may be useful, because the State migration service of Ukraine may hamper the process if there are suspicions that your marriage is not a genuine one. We are particularly skilled in convincing Ukrainian immigration authorities that marriages of our clients are the real ones, even if they live separately from their spouses (even if they live in different counties);
- **Legality of the marriage.** It is also essential that marriage is entirely legal under the laws of Ukraine. Among other aspects, Ukrainian immigration law says that polygamy, marriages with minors, marriages, concluded under duress, and same-sex matrimonies are not recognized here. If your marriage with a citizen of Ukraine is for some reason declared void, your right to the permanent residence permit in Ukraine becomes automatically annulled;



- **Continuity of the marriage.** In order to qualify for a permanent residence permit in Ukraine, your marriage should not be interrupted during the two years. In the event, your marriage is for some reason dissolved, and you marry another Ukrainian citizen (or re-marry your 'original' Ukrainian spouse), the calculation of the two-year period restarts. In other words, if you were married to a Ukrainian citizen for one year and eleven months, then divorces, and marries another Ukrainian, you will have to wait another two years for getting your permanent residence permit. However, if you decide to divorce after your permanent residence permit has been issued, the validity of your residence in Ukraine is nevertheless preserved. That is why many foreigners often use this strategy for legalizing their stay in Ukraine;
- **Medical examination and certificate of good conduct.** In contrast to other situations, those, who apply for the Ukrainian citizenship by marriage with a citizen of Ukraine, are exempted from undergoing a medical examination and producing a certificate of good conduct from the police authorities of the original country. However, certificate of good conduct from the Ukrainian police should be provided. If you have a criminal record in Ukraine, unpaid administrative fines or you violated Ukrainian immigration law in any form, serious complications may occur. Though it is highly advisable avoiding them, our lawyers are particularly experienced in handling the problems like these;
- **Submission of the documents to the State migration service of Ukraine.** It is also vital remembering that when your partner should accompany you during the visit to the Immigration Office. He also should sign a petition there. Practically, it means that your Ukrainian spouse should be physically in Ukraine when the application is launched;
- The number of permanent residence permits issues in Ukraine annually is strictly subjected to the quota system. Practically, that means that the Immigration Office of Ukraine may not issue more permits than decided by the government. The quotas are published annually. There are approximately 2,000 quotas opened every year (usually the quotas are announced on March-April). In contrast to getting a permanent residence permit in Ukraine under other grounds, when you are married to a Ukrainian citizen, the quota system is not applied to your case. In other words, even if the other applicants have used all quotas, your application will nevertheless be granted;
- **Permanent residence permit is the first (and the most important) step to citizenship.** Permanent residence permit is a precondition for getting Ukrainian citizenship through marriage with a Ukrainian citizen. Thus, one of the documents requested by the Ukrainian Immigration in the process of getting Ukrainian citizenship is the permanent residence permit. Therefore, if you decide to apply for Ukrainian citizenship by marriage with a Ukrainian citizen, getting a permanent residence permit first is important.

Important conclusions.

As it has been illustrated above, your marriage with a Ukrainian citizen is a critical element for getting a permanent residence permit in Ukraine under this ground. The marriage should be entirely legal, and your spouse should formally support your decision to apply for a permanent residence permit in Ukraine.

In addition to that, it is important to decide, which legal option will be used to legalize your stay in the country while you are waiting for your permanent residence permit to be issued by Ukrainian immigration authorities. As we described before, Ukrainian State migration service has 12 months for assessing your application, which is beyond the duration of any visa which can be possibly issued. The first option for solving this problem is getting a temporary residence permit, which will allow you to stay in Ukraine for 12 months with the possibility of prolongation for the same period. The second solution, which may be possibly employed in this context, is to contact us for help. We will file a special motion to speed up the process. It will take 6-8 weeks to get a permanent residence permit by marriage with our support in this case.

MARRIAGE WITH A FOREIGNER, WHO HAS A PERMANENT RESIDENCE PERMIT IN UKRAINE.

By far, it is the fastest method of getting a permanent residence permit in Ukraine nowadays. In contrast to getting a permanent residence permit through marriage with a citizen of Ukraine, this method allows us getting a permanent residence permit in Ukraine almost instantaneously. However, several important considerations should be taken into account in this case:

- **Legality of the immigration status of your spouse.** First and foremost, it is imperative that the permanent residence permit of your spouse in Ukraine is 100% legal. In other words, his immigration process should be completed with no violations of the immigration or other laws of Ukraine;
- **Continuity of the marriage.** In contrast to the situation when your spouse is a citizen of Ukraine, there is no requirement to stay married for two years before applying for permanent residence in Ukraine. In other words, you may virtually file your application with the Immigration Office of Ukraine immediately after your marriage is registered or recognized in Ukraine;

- **Place of marriage registration.** There is no critical difference where the marriage is concluded. Ukrainian law recognizes both marriages, which have been concluded in Ukraine, as well as those, which have been registered abroad. However, you should make sure that your foreign marriage certificate, confirming your marital status with the citizen of Ukraine, has been either duly translated for use in Ukraine or that it has apostil;
- **Legality of the marriage.** It is also essential that marriage is entirely legal under the laws of Ukraine. Among other aspects, Ukrainian immigration law says that polygamy, marriages with minors, marriages, concluded under duress, and same-sex matrimonies are not recognized here. If your marriage with a citizen of Ukraine is for some reason declared void, your right to the permanent residence permit in Ukraine becomes automatically annulled;
- **Entry to Ukraine.** In contrast to other cases of issuing a permanent residence permit in Ukraine, in this case, the law allows you to enter Ukraine with any kind of visa, even a tourist one. In other words, you may practically enter Ukraine as a tourist, get married here with a foreigner, who has a permanent residence permit here, and then to get a permanent residence permit yourself;
- **Permanent residency in Ukraine cannot be annulled.** In other words, even if you decide to divorce the next day after your permanent residence permit has been issued, in contrast to temporary residence permit by marriage, your residence permit will preserve its validity;
- The number of permanent residence permits issues in Ukraine annually is strictly subjected to the quota system. Practically, that means that the Immigration Office of Ukraine may not issue more permits than decided by the government. The quotas are published annually. There are approximately 2,000 quotas opened every year (usually the quotas are announced on March-April). Getting a permanent residence permit in Ukraine under this approach is subject to the quotas, meaning that only a certain number of residence permits are issued annually. If your application is launched after the quotas are exhausted, there will be no other option, but to wait until the new quotas are passed;
- **Waiting for the residence permit.** While waiting for the permanent residence permit, your stay in Ukraine should be entirely legal. The law says that the Immigration office has up to 12 months to decide whether your application should be satisfied or not. During this time your stay in the country should be legal. The first option for solving this problem is getting a temporary residence permit, which will allow you to stay in Ukraine for 12 months with the possibility of prolongation for the same period. The second solution, which may be possibly employed in this context, is to contact us for help. We will file a special motion to speed up the process. It will take 6-8 weeks to get a permanent residence permit by marriage with our help in this case.

Important conclusions.

Overall, getting a permanent residence permit in Ukraine by marriage with a foreigner, who has permanent residency permit in Ukraine, is the fastest method of acquiring lifetime economic, business and social rights in Ukraine. In contrast to other methods of legalizing your stay in Ukraine, this approach has two essential advantages: there is no need to wait two years after your marriage is registered, and you may not be deprived of the residency rights in Ukraine if your marriage is for some reasons dissolved after the permanent residence permit has been issued.

Connect with us for a candid discussion and obligation free assessment.



Call us on +91 9810877693 or +91 9999999273



Email us at info@redkite.co.in



Or simply fill in the form via the link <https://redkite.co.in/looking-for-skilled-migration/>

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