

## Determine: the validity of the patent the foreign worker.

The situation when a job comes to get the foreigner with the just issued patent to the employer is simple and straightforward. If the region the grant of the patent profession, and this it fulfills the criteria of the proposed work can be safely conclude an employment contract. And what to do in case when the patent is granted for a long time and two months from the date of issuance of the patent has already passed Consider the situation when the employment of a foreign citizen appeals with the patent is granted six months ago. However, he could not confirm the presence of a previous employment relationship of the patent or his copy of the contract nor the record in the workbook. In accordance with part 4 paragraph 22 of article 13.3 of the Federal law 115-FZ, the patent is void in case of failure by the foreigner to the migration bodies of copy of labour contract civil contract within 2 months from the date of its issuance. However, such are the duties of a foreign citizen occurs not engaged in labor activities at individuals. moreover if the employment relationship between physical persons were issued a labour and civil-law Treaty that the Treaty itself might not even exist on paper as the law allows to make transactions grazhdansko-legal character in an oral form. It remains to clarify the issue of notification of migration authorities by the employer. The legislation obliges the employer to notify migration authorities on the conclusion of the employment civil law contract within three days, regardless of whether they are legal or natural persons. However, the fact that the employer has not fulfilled this obligation and has not sent notice may not constitute grounds for revocation of a patent a foreign citizen. It is entirely the responsibility of the employer. It follows that the absence of formal confirmation of labor relations in the patent issued more than two months is no reason to believe the patent is invalid. Now you need to check out whether the validity of the patent. How to determine the documents provided by the applicant For this we need all the receipts of the patent starting with the first. If a payment of fixed advance payments the foreign national a period not broke you have no grounds to deny him employment. The question of the timing of payment for the patent is still a matter of controversy. There are two points of view which formed the basis of the discrepancies. The first payment date is counted from the date of the first payment. The second date of payment is counted from the date of issue specified in the patent. What is written on this subject in the law Article 227.1 of the tax code reads as follows 4. A fixed advance tax payment

Link to article:: [Determine: the validity of the patent the foreign worker.](#)