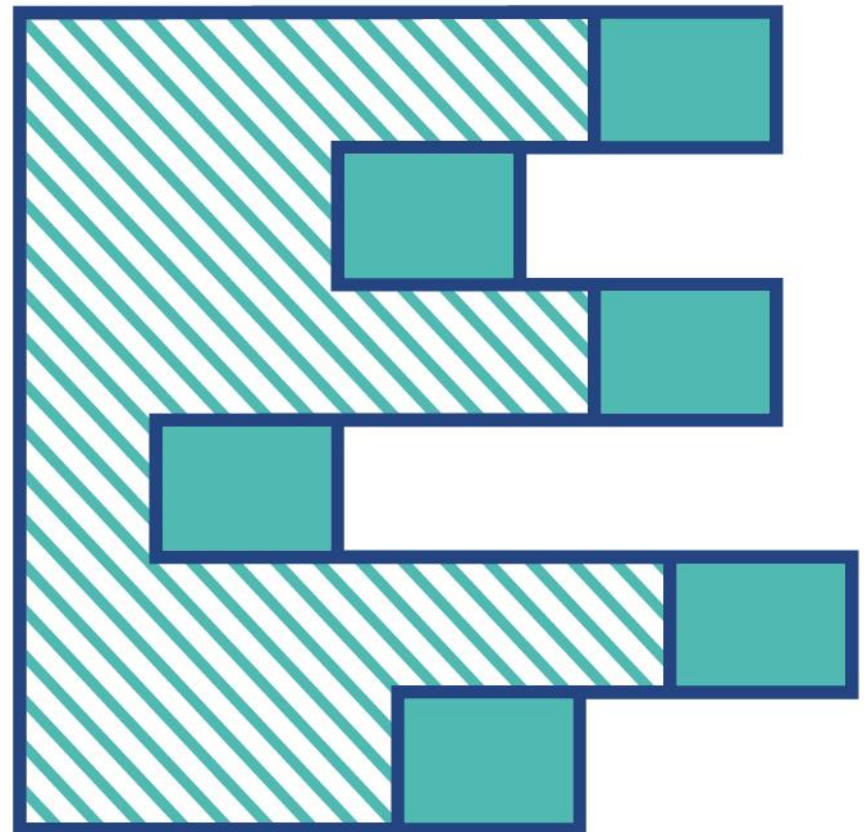

International Mobility in Catalonia

KIT 10.0

Presentation of the International Mobility Service of Catalonia Trade & Investment and information about the main visas and work permits in Catalonia.

Advice & Information Tools

July 2017



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Catalonia Trade & Investment



Generalitat de Catalunya
Government of Catalonia

- **Catalonia Trade & Investment** is the organization of the Catalan Government responsible for attracting and channelling foreign investment to Catalonia.
- We offer **services and support for international companies that are considering Catalonia / Barcelona as a place to invest**, from the first steps to know the market through the implementation, and the **accompanying expansion of those that are already established** in Catalonia.
- The service is **free-of-charge** and rendered **neutrally and confidentially**.
- We offer a "**one-stop shop service**" for businesses that includes a **support service to international mobility**.
- We are the first investment promotion agency created in Spain and operating since 1985. Our services come with a guarantee of **31 years of experience**.

International Mobility Service

¿Your company wants to move executives or specialized employees to Catalonia?



PERSONALIZED SUPPORT

— We offer to the companies with an investment project in Catalonia a **support service in the international mobility** of executives and specialized employees. We are the institutional contact between the companies and all the Spanish entities involved in the immigration procedures.

THEMATIC INFORMATION

— We offer **detailed information on all types of visas and residence-work permits** existing in Catalonia. The information provided is for guidance use only and in no way replace the services provided by specialized professionals on immigration matters.

SPECIALIZED CONTACTS

— We have at your disposal a list of **law firms and lawyers specialized on foreigners' immigration**, that can give you an accurate legal advice.





Normative framework for the immigration

The regulatory framework for immigration in Spain is characterized by the coexistence of two laws, whose application depends on the characteristics of the interested person and the purpose of the immigration. In this sense, there is a wide range of possibilities for foreign workers to provide services in Catalonia, for obtaining a permit in a simple and fast way.

ENREPRENEURS ACT (L 14/2013)

- Attract foreign talent
- Easy entry of investment and talent
- Promote entrepreneurial culture
- Streamlined procedures
- Not taken into account the National Employment Situation
- The procedures can be performed in Catalonia
- Responsible: UGECE

TYPE OF VISAS/PERMITS:




-  Highly qualified professionals
-  Intra-company transfers
-  Entrepreneur
-  Investor

VS.

FOREIGNERS' LAW (LO 4/2000 and RD 557/2011)

- Regulates various temporary residence permits applicable in Spain
- Directed to the general public
- It takes into account the National Employment Situation (internal labour market) for the grant of certain permits
- The procedures are performed in the country of residence
- Responsible: Generalitat de Catalunya

TYPES OF VISAS/PERMITS:

-  Employees under a labour contract
-  Self-employed employees
-  Transnational provision of services

Main Visas and Permits in Catalonia (I)

Law 14/2013 (Entrepreneurs Act)

More common visas/permits:



Highly qualified professionals



Intra-company transfers



Entrepreneur



Investor

Additional benefits

- Single authorization to **reside and work for the entire national territory.**
- **The National Employment Situation is not taken into account** (existence of employees with the appropriate professional profile in the internal market)
- Freedom of movement in the **Schengen** states
- **Procedures** can be performed **through representatives**
- Submission of the authorization in any **public registration office**

Streamlined procedures:

- **Visas** resolved and notified within **10 working days**
- **Residence authorization** settled in **20 working days.**

If a decision has not been notified before these deadlines, the request shall be understood as **accepted.**

- **Joint processing for family:** possibility of procedures through representative.

Main Visas and Permits in Catalonia (II)

Law 14/2013 (Entrepreneurs Act)



HIGHLY QUALIFIED PROFESSIONALS

It is very **easy** for these foreign workers obtain a visa / permit, both in terms of **requirements** (higher education degree; salary of more than € 28,000; a job position included in section 1 or 2 of the National Occupational Catalogue) and the **processing time** of it. During the transfer to Spain the employee is **employed in Spain**. This visa / permit is mainly intended to hire managers of big companies or companies that are part of a business project of general interest.



INTRA-COMPANY TRANSFERS

This visa / permit is aimed primarily at those foreign workers who are **transferred to Spain** in an employment, professional or training relationship with a **company of the same group of companies or with which there is a professional relationship** (i.e. consultancy works). During the transfer, the employee **continues his/her employment relationship and salary** with the country of origin. A **higher education degree or 3 years of professional experience** in the job position he/she will occupy in Spain is required. In addition, the worker must have worked in the company for a **minimum of 3 months**.

There are two types, the **Intra-corporate transfer ICT EU residence permit** (for managers, specialists and trainees. It allows its holder to enter, reside and work in other member States prior notification or application to the other EU member) and the **National residence permit due to intra-corporate transfer** (for transfers that do not comply with the criteria set out in the ICT EU authorization).



ENTREPRENEUR

This visa / permit is intended for foreigners who are developing an **innovation business plan that could be of a particular economic interest for Spain**. (Will be taken into account the following aspects: the professional profile of the entrepreneur, the overall viability of the business plan, and the added value for the Spanish economy).

INVESTOR

This visa / permit allows foreign investors to live and/or work in Catalonia for 1 and 2 years respectively. The visas / permits are granted principally for the following **investments**:

- The purchase of unencumbered Real Estate in Spain (commercial or residential premises) involving at least 500,000 euros.
- Investment of at least 1 million euros in shares of Spanish companies, or bank deposits or investment funds in Spain.
- Acquisition of 2 million euros in Spanish government debt.
- Business project of general interest in Spain.



Main Visas and Permits in Catalonia (I)

Law 4/2000 (Foreigners' Law)

More common visas / permits



Employees under a labour contract



Self-employed employees



Transnational Provision of Services

Main characteristics:

- The **visa** is processed at the diplomatic mission or in the **Spanish consular office in the country of residence**.
- It is limited to a **regional area and specific activity or occupation**.
- The **National Employment Situation is taken into account** (existence of employees with the appropriate professional profile).

Main Visas and Permits in Catalonia (II)

Law 4/2000 (Foreigners' Law)



EMPLOYEES UNDER A LABOUR CONTRACT

This is the **standard visa / work permit** that the companies must process if they want to hire a foreigner employee in Catalonia. To do this, the National Employment Situation is generally taken into account. It means that, to obtain this visa / work permit, there should be no Spanish unemployed workers who can occupy the same job position.

Notwithstanding the above, the Law 14/2013 contains **exceptions** to the application of the National Employment Situation for the following employees:

- Positions of trust and companies managers.
- Highly qualified professionals.
- Intra-company transfers



SELF-EMPLOYED EMPLOYEES

It is the visa / permit for all those self-employed employees who want to start an **activity by his/her own**. They must have a **business plan** in which the following issues will be assessed:

- Opening licenses and compliance with the law.
- The planned investment must be sufficient and have an impact on job creation.
- Have sufficient financial means.



TRANSNATIONAL PROVISION OF SERVICES

It is the standard visa / work permit for all those foreign companies (non UE) that **want to temporarily move to Spain foreign workers**. The employment relation and the salary is maintained in the country of origin.

More Information

Important:

- Before travelling, please **contact the embassy or consulate of Spain** in the country of residence.
- The **visa / work permit** set forth herein are the **most common in Catalonia**. However, there are other types of visa / work permit (**Vander Elst, R+D, Non-lucrative, Blue card**) that, if necessary, we will provide more information.
- If you want a more detailed advice, please **ask for and fill** our **form** on general information about your project or situation.
- Once the form is completed, we will give you an **accurate answer that will fit to your needs** and will provide you guidance on the visa / work permit that fits better.
- **For more information**, please contact the Business Information Service:
Tel. 93 456 72 06
info.accio@gencat.cat
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The above information is provided solely for information purposes and does not serve as a substitute for any legal advice. Therefore, we suggest that you seek professional advice prior to taking any decisions related to said information.

