



EMN FOCUSSED STUDY 2014

Admitting third-country nationals for business purposes

Executive Summary (Synthesis Report)

Synthesis Report (up to three pages)

Executive Summary of Synthesis Report: this will form the basis of an EMN Inform, which will have EU and National policymakers as its main target audience.

Top-line "Factsheet" (National Contribution)

National contribution (one page only)

Overview of the National Contribution – introducing the study and drawing out key facts and figures from across all sections of the Focussed Study, with a particular emphasis on elements that will be of relevance to (national) policymakers.

Section 1: National frameworks for admitting third-country nationals for business purposes

For the national policies, the questionnaire asks first for information about the national policies in relation to **immigrant investors** (Sections 1.1 – 1.2), then for **immigrant business owners** (1.3 – 1.4) and finally for **other business persons** (Sections 1.5 – 1.6)

Section 1.1: Immigrant investors: overview of national policies (Maximum 1 page)

*This section asks for information on the national institutional framework and the main policy objectives in relation to **immigrant investors** from third-countries. It will provide a mapping of the national stakeholders involved in the design and implementation of the policies to attract such investors, and the incentives that apply.*

EMN NCPs are asked to answer the following questions, at times guided by a non-exhaustive list of prompts.

Q1. How does the national legislation of your Member State define immigrant investors?

Admitting third-country nationals for business purposes

Q2a. Does your Member State have a specific policy, programme or scheme for immigrant investors?

Yes / No

Q2b. If yes, please provide more information about the specific policy, programme or scheme, including a) the name of the policy / programme / scheme: b) its main policy objectives (Neutral, pro-active); whether it targets c) specific investment types e.g. real estate, transfer of capital, national funds / bonds, business investments, endowment to public projects, mixed investments, joint ventures, etc. or d) economic sectors / geographical areas / strategic partners; and whether e) a quota / limitation system is in place to govern the number of entries or permits that can be issued to migrant investors?

a) Name of policy / programme and legal basis

b) Main policy objectives

c) Type of investment (e.g. real estate, transfer of capital, national funds / bonds, business investments, endowment to public projects, mixed investments, joint ventures, etc.)

d) Priority national economic sectors / priority national geographical areas / countries of origin targeted / strategic partners required.

e) Quotas in place

Q3a. What is/are the main actor(s) and institution(s) involved in the development of policies to attract immigrant investors? If multiple authorities are involved, how are they coordinated? Is there an official mandate – e.g. an Action Plan – governing the involvement of these authorities?

Q3b. Which actor / institution is responsible for the promotion of the policy with the target group?

Q4a. Does your Member State have specific measures in place to attract immigrant investors?

Yes/No

Q4b. If yes, Please complete the table below with regard to the (applicable) policy measures in place to attract immigrant investors in your Member State.

Measures	Brief description of the measure in the Member State
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Admitting third-country nationals for business purposes

What do these specific measures entail? (active promotion / information dissemination / campaigns / events including in third countries, etc.)	
Does a list of specific procedural facilitations for admission exist? If yes, please explain what they entail (reduced costs, shortened processing time, reduced documentary requirements, minimum residence period required (per year), possibility of renewal, etc.)	
Are there specific tax incentives? (benefits, exemptions, etc.)	
Does the possibility exist for immigrant investors to be accompanied by family members? Are family members allowed to access the labour market?	
Are immigrant investors granted access to social benefits?	
Are immigrant investors granted access to citizenship?	
Other (please state)	

Q5a Does your Member State have any bilateral or other agreements in place with Third Countries to attract immigrant investors?

Q5b. Does your Member State share information with other Member States? Does your Member State consult other Member States on the issuing of the documents listed in Q4.b to immigrant investors?

[Section 1.2: Immigrant investors national policies: pre-arrival stage \(admission criteria\) and stay \(renewal\) \(Maximum 3 pages\)](#)

Section 1.2 aims at providing an overview of the admission criteria applied by Member States in order admit immigrant investors from third-countries to the national territory. The section also examines whether Member States require investors to submit an investment plan and the specific procedures in place with regard to this. Finally, this section touches upon also criteria linked to the renewal / withdrawal of their residence permit / long-stay visa.

Admitting third-country nationals for business purposes

EMN NCPs are asked to provide their answers to the questions below.

Q6a. Please indicate which of the list act as criteria to admit immigrant investors in your Member State in the table below. All listed requirements imply a Yes/No answer: in affirmative cases, EMN NCPs are asked to describe the criteria. If possible, EMN NCPs should also explain whether the same criteria apply to third-country nationals admitted to the national territory under a different immigration channel (family reunification, study, etc.) but willing to change their status into immigrant investors.

Admission criteria	Explanation	Do the same criteria apply to third-country nationals present in your Member State who have another status and are willing to change it into investor?
Minimum financial amount to invest (please indicate the financial amounts applied to each of the investment types identified above in Question 2b point c)		
Investment plan If Yes, please complete the table in Q6b		
Expected Impact of proposed investment in the Member State (economy, public life etc.)		
Minimum Education / Professional skills		
Language knowledge (certification, pre-entry tests, mandatory courses, etc.)		
Age requirement for applicants (minimum / maximum)		
Security / health / background checks in place (origin of investment, fraud checks, previous bogus activities, etc.)		
Other (please state)		

Q6b. In case an investment plan is required, EMN NCPs are asked to complete the table below. All listed requirements imply a Yes/No answer: in affirmative cases, EMN NCPs are asked to describe the requirements with additional information.

Admitting third-country nationals for business purposes

Investment plan requirements	Explanation
Information required on legal aspects of the investment.	
Information required on the commercial and financial aspects (nature of the investment, origin of the capital to invest, target groups, preliminary contracts, performance indicators, etc.)	
National institution responsible for the assessment/ approval	
Duration of examination / due diligence phase	
Documentation required (If a list exists, please report it here)	
Review period	
Other	

Q7. If the criteria for admission are satisfied what initial document is issued? Please provide any detail on:

- type of document issued (e.g. short-stay visa, authorisation to stay, long-stay visa, residence permit, etc.)
- its duration
- whether it is longer than the usual duration which applies to other categories of third-country nationals
- whether its validity differs (and how) from its renewal.

Q8. Where and by which institution / organisation (internal or abroad) are the documents issued? (e.g. diplomatic mission in the third country; other responsible representative; intermediary agency, etc.)

Q9. EMN NCPs are asked to provide information on the criteria to be met in case of extension of the document issued for the stay of immigrant investors. Please provide details of the type of document issued and its duration.

Renewal criteria	Explanation
What are the requirements related to the purpose of stay (investment) that need to be met in order to prolong/extend the initial authorisation of stay/ long-stay visa/residence	

Admitting third-country nationals for business purposes

Q11a. What is/are the main actor(s) and institution(s) involved in the development of policies to attract immigrant business owners? If multiple authorities are involved, how are they coordinated? Is there an official mandate – e.g. an Action Plan – governing the involvement of these authorities?

11b. Which actor / institution is responsible for the promotion of the policy with the target group?

Q12a. Does your Member State have specific measures to attract immigrant business owners?

Yes/No

Q12b. If yes, Please complete the table below with regard to the policy measures in place to attract immigrant business owners in your Member State.

Measures	Brief description of the measure in the Member State
What do these specific measures entail? (active promotion / information dissemination / campaigns / events including in third countries, etc.)	
Does a list of specific procedural facilitations for admission exist? If yes, please explain what they entail (reduced costs, shortened processing time, reduced documentary requirements, minimum residence period required (per year), possibility of renewal, etc.)	
Do specific support measures exist? (financial / logistic, business support to applicants to establish a business plan, recognition of qualification etc.)	
Are there specific tax incentives? (benefits, exemptions, etc.)	
Are immigrant business owners granted access to social benefits?	
Are immigrant business owners granted access to citizenship?	
Does the possibility exist for immigrant business owners to be accompanied by family members? Are family members allowed to access the labour market?	

*Admitting third-country nationals for business purposes***Other** (please state)

Q13a Does your Member State have any bilateral or other agreements in place with Third Countries to attract immigrant business owners?

Q13b. Does your Member State share information and coordinate its policies with other Member States? Does your Member State consult other Member States on the issuing of the documents listed in Q15 to immigrant business owners?

Section 1.4: Immigrant business owners national policies: pre-arrival stage (admission criteria) and stay (renewal) (Maximum 3 pages)

Section 1.4 aims at providing an overview of the admission criteria applied by Member States in order admit immigrant business owners from third-countries to the national territory. The section also examines whether Member States require business owners to submit a business plan and the specific procedures in place with regard to this. Finally, this section touches upon also criteria linked to the renewal / withdrawal of their residence permit / long-stay visa.

EMN NCPs are asked to provide their answers to the questions below.

Q14a. Please indicate the criteria to admit immigrant business owners in your Member State in the table below. All listed requirements imply a Yes/No answer: in affirmative cases, EMN NCPs are asked to describe the criteria. If possible, EMN NCPs should also explain whether the same criteria apply to third-country nationals admitted to the national territory under a different immigration channel (family reunification, study, etc.) but willing to change their status into immigrant investors. If possible, EMN NCPs should also explain whether the same criteria apply to third-country nationals admitted to the national territory under a different immigration channel (family reunification, study, etc.) but willing to change their status into immigrant investors.

Admission criteria	Explanation	Do the same criteria apply to third-country nationals present in your Member State who have another status and are willing to change it into business owners?
Evidence of entrepreneurial skills (experience in running businesses, turnover of activities in the country of origin, etc.)		
Minimum level of educational achievement / professional skills (please specify)		
Evidence of capital (minimum sum required)		
Contribution to the economy / employment of the Member State (national interest, "jobs -		

Admitting third-country nationals for business purposes

<i>created”, contribution to specific sector, innovativeness of activity, introduction of new technologies, etc.)</i>		
Business plan <i>If a business plan is required, please complete the table in Q14b</i>		
Language knowledge <i>(certification, pre-entry tests, mandatory courses, etc.)</i>		
Age requirement for applicants <i>(minimum / maximum)</i>		
Insurance requirement <i>(personal and/or for the investment)</i>		
Security / background checks in place <i>(fraud checks, tax avoidance, previous bogus activities, money origin / money laundering, etc.)</i>		

Q14b. In case a business plan is required, EMN NCPs are asked to complete the table below. All listed requirements imply a Yes/No answer: in affirmative cases, EMN NCPs are asked to describe the requirements with additional information:

Business plan	Explanation
National institution responsible for the approval / Self-assessment	
Information required on legal aspects of the business <i>(form of the business, principal activity, subsidiary of existing activity)</i>	
Information required on the commercial and financial aspects <i>(type of business / services, origin of the capital to invest, target groups, preliminary contracts, nature of the investment, performance indicators, feasibility analysis, etc.)</i>	
Duration of examination of the business plan	

Admitting third-country nationals for business purposes

Documentation required (please provide a list of the documents required)	
Review period	
Other	

Q15. If the criteria for admission are satisfied what initial document is issued? Please provide any detail on:

- type of document issued (e.g. short-stay visa, authorisation to stay, long-stay visa, residence permit, etc.),
- its duration
- whether it is longer than the usual duration which applies to other categories of third-country nationals
- whether its validity differs (and how) from its renewal.

Q16. Where and by which institution / organisation (internal or abroad) are the documents issued? (e.g. diplomatic mission in the third country; other responsible representative; intermediary agency, etc.)

Q17. EMN NCPs are asked to complete the information requested in the table below in relation to registration of businesses by immigrant business owners in your Member State:

Registration of businesses by immigrant business owners in your Member State	Explanation
National institution responsible for the registration of the business in the Member State	
Type of business (main business, subsidiary or branch. Please explain whether it is a transparent or non-transparent entity for tax reasons, i.e. determining if the business owners registers himself/herself as an individual or as a legal entity).	
Place of registration of business (in the Member State or in the country of origin / a third country. Is it mandatory for a third country national to be present in a country when registering a business or can this be done outside (using an agent / third party)?	
Main requirements for registration of business (capital, employees. Please state whether the requirements is different from that applied to EU	

Admitting third-country nationals for business purposes

nationals)	
Does your Member State impose restrictions to admit immigrant business owners based on the type of business, the specific sector or their country of origin?	
Other (Health, etc.)	

Q18. EMN NCPs are asked to provide information on the criteria to be met in case of extension of the document issued for the stay of immigrant business owners. Please provide details of the type of document issued and its duration.

Renewal criteria	Explanation
What are the requirements related to the purpose of stay (business) that need to be met in order to prolong/extend the initial authorisation of stay/ long-stay visa/residence permit?	
Is there a requirement that a business is active during the extension of permits? If so, what indicators are used to assess this? (Volumes of turnover, amount of paid taxes, staff employed, compliance of immigrant investors and their investment, etc.) Who assesses this information?	
Are there time-related requirements during which a business needs to have been started up, taxes paid and staff employed in order to get the validity of the document extended?	

Section A1.5: Other business persons: overview of national policies (Maximum 1 page)

This section examines the conditions for the admission of **other third-country nationals who travel to the EU for business reasons** ("other business persons"). These categories include (but are not limited to) the temporary admission of third-country nationals under international trade agreements (i.e. the pre-defined six "Mode 4" categories tackled by the EU free-trade agreements listed in Annex 2). Other business persons may be admitted either on a short-stay visa or long-stay visa. EMN NCPs are asked to indicate if and how these categories are defined by the national legalisation of their Member State. They are required to indicate whether they are targeted by specific policies (programmes, schemes), whether they are admitted and registered as such in their administrative practices and/or separately from those entering via different migration channels.

EMN NCPs are also requested to provide information on current admission criteria, including the length of their stay, any other specific eligibility condition and collect available data.

Q19. How are the following categories (listed in Annex 2) defined under the national legislation of your Member State?

Categories of other business persons	Definitions
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Admitting third-country nationals for business purposes

<i>Business visitors for establishment purposes (BVEP)</i>	
<i>Intra-corporate transferees (ICT)¹</i>	
<i>Business sellers (BS)</i>	
<i>Independent professionals (IP)</i>	
<i>Contractual services suppliers (CSS)</i>	
<i>Graduate trainees (GT)</i>	
<i>Other (please describe)</i>	

Q20. Does your Member State have a specific policy (programme, scheme) for other business persons as defined by the study template? EMN NCPs are asked to complete only the sections that are relevant to their national context.

Categories of other business persons	Is there a specific policy, for this categories of other business persons? Is it based on tailored multilateral/bilateral trade agreements with third countries?	Name of policy / programme	What are its main policy objectives (include info on priority national economic sectors / geographical areas / countries of origin if relevant)	Are there any quotas in place?
<i>Business visitors for establishment purposes (BVEP)</i>				
<i>Intra-corporate transferees (ICT)</i>				
<i>Business sellers (BS)</i>				
<i>Independent professionals (IP)</i>				
<i>Contractual services</i>				

¹ For intra-corporate transferees, please indicate where the scope of current legislation and the definition used therein differ from Directive 2014/66/EU on intra-corporate transferees.

Admitting third-country nationals for business purposes

<i>suppliers (CSS)</i>				
<i>Graduate trainees (GT)</i>				
<i>Other (please describe)</i>				

Q21. Considering the specific policy (programme, scheme) in the previous question, what are the actor(s) and institution(s) involved in the development and implementation of policies on other business persons? If multiple authorities are involved, how are they coordinated? Is there an official mandate – e.g. an Action Plan - governing the involvement of these authorities? Which actor / institution is responsible for the promotion of such policy abroad?

Categories of other business persons	Actors/institutions involved in the development of these policies	Actors/institutions involved in the implementation of these policies	If multiple authorities are involved, how do they coordinate?	Is there an official mandate governing their roles?	Actors/institutions responsible for the promotion of such policy abroad
<i>Business visitors for establishment purposes (BVEP)</i>					
<i>Intra-corporate transferees (ICT)</i>					
<i>Business sellers (BS)</i>					
<i>Independent professionals (IP)</i>					
<i>Contractual services suppliers (CSS)</i>					
<i>Graduate trainees (GT)</i>					
<i>Other (please describe)</i>					

[Section 1.6: Other business persons national policies: pre-arrival stage \(admission criteria\) and stay \(renewal\) \(Maximum 3 pages\)](#)

Admitting third-country nationals for business purposes

Section 1.6 aims at providing an overview of the admission criteria applied by Member States in order admit subcategories within other business persons from third-countries to the national territory.

Q22. What are the criteria for the admission of other business persons to your Member State? Please answer by completing the table below entering in the last column also useful information on any pre-entry assessment which may be required (labour market test, proof of minimum period of employment, evidence of commitment to return after the temporary stay, minimum education / professional skills, language knowledge, qualifications/certifications, entry quotas, age requirement, insurance requirement, etc.).

Categories of other business persons	Are these categories admitted/endorsed in your systems (under a different name)? (Yes/No)	If yes, under which name are they registered in your systems?	What is the maximum duration of their stay?	What kind of document is issued when admitting other business person?	Is there a (exhaustive) <u>list</u> of admission criteria? If yes, please indicate the criteria.
<i>Business visitors for establishment purposes (BVEP)</i>					
<i>Intra-corporate transferees (ICT)</i>					
<i>Business sellers (BS)</i>					
<i>Independent professionals (IP)</i>					
<i>Contractual services suppliers (CSS)</i>					
<i>Graduate trainees (GT)</i>					
<i>Other (please describe)</i>					

Q23. EMN NCPs are asked to provide information on the criteria to be met in case of extension of the document issued for the stay of other business persons. Please provide details of the type of document issued and its duration.

Categories of other business persons	What are the requirements related to the purpose of stay (business) that need to be met in order to prolong/extend the initial documents issued?
<i>Business visitors for establishment purposes (BVEP)</i>	

Admitting third-country nationals for business purposes

Intra-corporate transferees (ICT)	
Business sellers (BS)	
Independent professionals (IP)	
Contractual services suppliers (CSS)	
Graduate trainees (GT)	
Other (please describe)	

Section 2: Measures to prevent misuse / abuse of immigration channels for business purposes

This section aims to provide an overview of the measures carried out by Member States for monitoring, detecting and preventing misuse of the migration channels in place for **immigrant investors, immigrant business owners and other business persons** and to explore and map the specific mechanisms in place. EMN NCPs are asked to describe the procedures involved and to provide information on the challenges associated to the detecting, monitoring and preventing misuses, and to distinguish where relevant between the different categories (if the mechanisms are different). This Sections aim to identify also the criteria for withdrawing

Q24. Please provide the following information with respect to the prevention and detection of misuse abuse of immigration channels for immigrant investors, business owners and other business persons at admission stage and during stay. EMN NCPs are first asked to provide the definitions of misuse and abuse according to their national legislation and identify differences where possible.

Issue	Immigrant investors	Business owners	Other business persons
Does your national legislation provide for a definition of misuse and and/or abuse? If yes, do they differ? Please describe If no, how are they defined in practice?			
What are the specific measures in place in the Member States to monitor, detect and prevent misuse/abuse at <u>admission stage</u>? (in addition to the criteria to be satisfied as reported under Sections 1.2)			
What are the entities responsible for the monitoring of compliance of immigrant business owners and immigrant investors and what are their specific responsibilities? (Labour Inspectorate, Labour Exchange office, Tax authorities, Ministry of Interior,			

Admitting third-country nationals for business purposes

<p>Migration services)</p> <p>Does a national referral mechanism (or its equivalent) exist? (Yes/No).</p> <p>If yes, how is information shared between stakeholders involved?</p> <p>Is there an obligation to inform about misuse/abuse identified by other institution (migration services, police, tax authority, etc.)</p>			
What is the frequency of control?			
<p>What are the main sectors where misuse/abuse occurs? (real estate, transfer of capital, national funds / bonds, business investments, etc.)</p> <p>Please list the top three</p>			
<p>If misuse/abuse is detected, what are the penalties imposed on the third-country national concerned (withdrawal of long-stay visa/residence permit, loss of any other related right/benefit, loss of the certificate of establishment, legal proceedings, fines, removal order, confiscation of activities/revenues, etc.)</p>			
What other circumstances might result in the withdrawal / non-renewal of a long-stay visa / residence permit?			

Q25a. Is there any evidence of the effectiveness of the measures used in your Member State to monitor, detect and prevent misuse / abuse and the problems/challenges faced (lack of instruments, lack of cross-analysis, access to data, etc.)?

Yes / No

Q25b. If yes, please indicate to which business persons the evidence refers to (investors, business owners, other business people) and please summarise the main findings here and include a reference to the source in an annex to your national report.

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Section 3: Evaluation of policies to admit third-country nationals for business purposes, challenges and barriers

This section aims to explore the impact of policies to admit **immigrant investors** (Section 3.1), **business owners** (Section 3.2) and **other business people** (Section 3.3) on the economy / society of the Member States. In particular, the questions below aim to understand to what extent such policies (programmes or schemes) have been evaluated and what are the results achieved.

Section 3.1: Immigrant investors (Maximum 1.5 pages)

Q26a. Have any evaluations or studies in your Member State considered the effectiveness of national policies to attract immigrant investors?

Yes / no

Q26b. If yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report.

If no, please provide also any other evidence/indicator that may be available in your Member State in this regard (media reporting, media debates, assessment by experts etc.).

Q27a. Have any evaluations or studies in your Member State considered the effectiveness of the national policies to attract immigrant investors to the growth of the national economy and/or in competing with other larger economies, and have specific indicators been developed?

Yes / no

Q27b. If yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report.

If no, please provide also any other evidence/indicator that may be available in your Member State in this regard (media reporting, media debates, assessment by experts etc.).

Q28a. Have any evaluations or studies in your Member State considered the impact of the national policies to attract immigrant investors on other social issues (employment, access to housing, discrimination, etc.) and have specific indicators been developed?

Yes / no

Q28b. If yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report.

If no, please provide also any other evidence/indicator that may be available in your Member State in this regard (media reporting, media debates, assessment by experts etc.).

Q29. What evidence exists (policy documents, political discourses, media coverage, NGO campaigns, case law examples etc.) that immigrant investors are perceived as abusing national migration rules in your Member State?

Section 3.2: Business owners (Maximum 1.5 pages)

Q30a. Have any evaluations or studies in your Member State considered the effectiveness of national policies to attract immigrant business owners?

Yes / no

Admitting third-country nationals for business purposes

Q30b If yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report.

If no, please provide also any other evidence/indicator that may be available in your Member State and provide any examples of good practice in this regard.

Q31a. Have any evaluations or studies in your Member State considered the effectiveness of the national policies to attract immigrant business owners to the growth of the national economy, and/or in competing with other larger economies, and have specific indicators been developed?

For this question please consider also the contribution of immigrant business owners who are already present on the territory of your Member State.

Yes / no

Q31b. If yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report.

If no, please provide also any other evidence/indicator that may be available in your Member State and provide any examples of good practice in this regard.

Q32a. Have any evaluations or studies in your Member State considered the impact of the national policies to attract immigrant business owners on other social issues (employment social security, discrimination, etc.) and have specific indicators been developed?

Yes / no

Q32b. If yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report.

If no, please provide also any other evidence/indicator that may be available in your Member State in this regard (media reporting, media debates, assessment by experts etc.).

Q33. What evidence exists (policy documents, political discourses, media coverage, NGO campaigns, case law examples etc.) that immigrant business owners are perceived as abusing national migration rules in your Member State?

Section 3.3: Other business persons (Maximum 1.5 pages)

Q34a. Have any evaluations or studies in your Member State considered the effectiveness of national policies to attract other business persons?

Yes / no

Q34b If yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report.

If no, please provide also any other evidence/indicator that may be available in your Member State and provide any examples of good practice in this regard.

Admitting third-country nationals for business purposes

Q35a. Have any evaluations or studies in your Member State considered the effectiveness of the national policies to attract other business persons to the growth of the national economy, and/or in competing with other larger economies, and have specific indicators been developed?

Yes / no

Q35b. If yes, please summarise the main findings here and include a reference to the evaluation or study in an annex to your national report.

If no, please provide also any other evidence/indicator that may be available in your Member State and provide any examples of good practice in this regard.

Q36. Does any evidence exist on the impact of other business persons on increased volume of trade, increased mobility, increased visibility, etc. for your Member State? EMN NCPs are asked to corroborate information provided with any available data or source.

Q37. What evidence exists (policy documents, political discourses, media coverage, NGO campaigns, case law examples etc.) that other business persons are perceived as abusing national migration rules in your Member State?

Section 3.4: Challenges and obstacles to admitting third country nationals for business purposes (Maximum 1.5 pages)

This Section examines the existing challenges and obstacles for the design and implementation of specific policies aiming to attract immigrant investors, immigrant business owners and other business persons and those challenges and barriers reported by the business community. EMN NCPs are asked to address any obstacle to their admission (eligibility criteria, investment plan, business plan, obtaining visa, etc.) or to other macro-level areas such as visa policy, education, trade, etc.).

EMN NCPs are asked to present the findings and analysis of any existing studies / evaluations or evidence collected in any other way and to provide any available statistics in the corresponding tables Annex 1.

Q38. What are the main challenges related to the admission of immigrant investors, immigrant business owner and other business persons in your Member State?

Categories of other business persons	Challenges for national stakeholders associated with the design and implementation of policies for other business persons. <i>If possible studies should be included (sourced as appropriate).</i>	Challenges for applicant at both admission (pre-arrival) and stay stages (e.g. documentation required, waiting times, restrictions, etc.) <i>If possible, the views of the business community, of the immigrant community and studies should be included (sourced as appropriate).</i>
Immigrant investors		

Admitting third-country nationals for business purposes

<i>Immigrant business owners</i>		
<i>Business visitors for establishment purposes (BVEP)</i>		
<i>Intra-corporate transferees (ICT)</i>		
<i>Business sellers (BS)</i>		
<i>Independent professionals (IP)</i>		
<i>Contractual services suppliers (CSS)</i>		
<i>Graduate trainees (GT)</i>		
<i>Other (please describe)</i>		

Section A4: Good practices and lessons learned (Maximum 2 pages)

This Synthesis report will highlight any good practices of Member States that have successfully attracted and facilitated the arrival of immigrant investors, immigrant business owners and other business persons. This section will also tackle the extent to which these practices have favoured the (positive) contribution of third-country nationals to the national economy and their likelihood to be promoted and replicated in other Member States and also the extent to which has created monitoring mechanisms to detect misuse / abuse of these migration channels.

This section will include also lessons learned from the practical implementation of specific policies, programmes or schemes for the targeted categories of third-country nationals: lessons learned may address also assessments of the expected and/or unintended (positive and negative) consequences of specific policies, programmes or scheme (i.e. A so-called investor programme has facilitated the admission of wealthy third-country nationals to boost national economy in the real-estate sector. However, as consequence, admitted third-country nationals have invested their money but many properties remain empty due to inflated market rates).

If there are specific examples of good practices that you would like to highlight, please do so below:

Section 5: Conclusions (Maximum 2 pages)

The Synthesis Report will outline the key findings, main observations of the Study, present conclusions relevant for policymakers at national and EU level and identify policy pointers for future actions.

Specific conclusions drawn by Member States should be included in the Top Line Factsheet to prevent duplication of efforts.

Admitting third-country nationals for business purposes**Annex 1**

Statistics from Member States will be used in the Synthesis Report to contextualise the statistics provided in this annex.

Table 1: Statistics on immigrant investors and immigrant business owners

Indicators	2009	2010	2011	2012	2013	Source / further information
Statistics on immigrant investors²						
Number of visa applications (national D-type visas)						
Number of visa issued (national D-type visas)						
Number of visa refused (national D-type visas)						
Number of applications for residence permits (perhaps an estimate e.g. admissions)						
Number of residence permits issued (perhaps an estimate e.g. admissions)						
Number of residence permits refused / withdrawn (perhaps an estimate e.g. admissions)						
Average age of migrant investors who were granted residence permits (and national D-type visas?)						
Statistics on immigrant business owners³						
Number of visa applications (national D-type visas)						
Number of visa issued (national D-type visas)						
Number of visa refused (national D-type visas)						
Number of applications for residence permit						
Number of residence permits issued (perhaps an estimate e.g. admissions)						
Number of residence permits refused / withdrawn (perhaps an estimate e.g. admissions)						
Number of residence permits reflecting a change of status into business owner (specifying, if possible, from which category – i.e. student, family member, beneficiary of international protection, etc.)						
Average age of immigrant business owners						
Statistics on other business persons corresponding to Annex 2 (EU Mode 4 categories) and other business persons as recognised by Member States						
Number of third-country nationals admitted under EU Mode 4 categories or equivalent categories indicated in Q22. If available data can be broken down according to the categories in Annex 2, please provide them in a separate spreadsheet.						
Number of visa applications (national D-type visas)						
Number of visa issued (national D-type visas)						

² For Ireland and the United Kingdom, statistics refer to the relevant visas on immigrant investors, but please indicate the name of the visa category to which the data refer to.

³ For Ireland and the United Kingdom, statistics refer to the relevant visas on business owners, but please indicate the name of the visa category to which the data refer to.

Admitting third-country nationals for business purposes

Number of visa refused (national D-type visas)						
Number of visa applications (Schengen C-type visas)						
Number of visa issued (Schengen C-type visas)						
Number of visa refused (Schengen C-type visas)						

Table 2: indications of the average length of time needed for each of the following indicators

The table below is not intended as having detailed, 'hard' statistics on the average length of time taken, but rather as approximate indications. In case you concrete statistics or data are available however, please provide them separately.

- Please indicate with 'X' the (approximate) average length of time needed for each of the indicators.

Average length of time expected (in days)	A few days	From a few days to a week	Up to two weeks	Up to a month	More than a month
Average time expected between lodging an application and the final decision for a visa application of an <u>immigrant investor (national D-type visa)</u>					
Average time expected between lodging an application and the final decision for a visa application of an <u>immigrant business owner (national D-type visa)</u>					
Average time expected for registering a business (from application to establishment)					
If possible to change status: the average time expected for third-country nationals already present in the Member State to change their status into <u>immigrant investor</u> (from family reasons, study reasons, asylum, etc.)					
If possible to change status: the average time expected for third-country nationals already present in the Member State to change their status into <u>immigrant business owner</u> (from family reasons, study reasons, asylum, etc.)					

Please indicate if statistics are available on businesses established by immigrant business owners and by Business Visitors for Establishment Purposes (BVEP): (such as total number of businesses established by third-country nationals; number of FTEs created by migrant investors and business owners; number of survived / closed businesses; share of businesses per size (share of 1; 2-10, 11-19, 20-49, 50+ employees). If possible, EMN NCPs are asked to indicate whether data refer to newly admitted business owners or they include also those third-country nationals already living in their Member States

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- Please indicate if statistics are available on the economic effects of immigrant investments or businesses (such as the share of migrant investments out of total annual national investments; number of FTEs created/supported as a result of investments by third-country nationals; the tax contribution to the national revenue systems of immigrant business owners and investors; the increased economic ties / trade volumes with specific third countries as a result of immigrant business owners and investors).

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Annex 2

Table 1: Temporary Movement of Natural Persons under international trade agreements – the EU “Mode 4” categories

Category	Criteria	Length of stay
BVEP: Business visitors for establishment purposes'	<p>Natural persons</p> <ul style="list-style-type: none"> - working in a senior position who: - are responsible for setting up an enterprise, - do not offer or provide services or engage in any other economic activity than required for establishment purposes. - do not receive remuneration from a source located within the host Party. 	Up to 90 days in any twelve month period
ICT: 'Intra-corporate transferees' ⁴	<p>Natural persons who:</p> <ul style="list-style-type: none"> - have been employed by a juridical person or have been partners in it for at least one year - are temporarily transferred to an enterprise, the host entity, that may be a subsidiary, branch or head company of the juridical person in the territory of the other Party, - belong to one of the following categories: <p>1. Managers:</p> <p>Persons holding a senior position, who primarily direct the management of the host entity, receiving general supervision or guidance principally from the board of directors of the business or equivalent; that position shall include:</p> <ul style="list-style-type: none"> – directing the host entity or a department or sub-division of the host entity 	Up to 3 years

⁴ Definition as in Directive 2014/66/EU

Admitting third-country nationals for business purposes

	<ul style="list-style-type: none"> – supervising and controlling the work of other supervisory, professional or managerial employees – having the authority to recommend hiring, dismissing or other personnel action;. <p>2. Specialists:</p> <p>Persons working within a juridical person who possess specialised knowledge essential to the host entity's areas of activity, techniques or management. In assessing such knowledge, account shall be taken not only of knowledge specific to the host entity, but also of whether the person has a high level of qualification including adequate professional experience referring to a type of work or activity requiring specific technical knowledge, including possible membership of an accredited profession;</p>	
GT: Graduate trainees / trainee employees⁵	Natural persons with a university degree who are transferred to a host entity for career development purposes or in order to obtain training in business techniques or methods, and are paid during the transfer;	Up to 1 year
BS: Business sellers	<p>Natural persons who:</p> <ul style="list-style-type: none"> - are representatives of a services or goods supplier of one Party, - seeking entry and temporary stay in the territory of the other Party for the purpose of negotiating the sale of services or goods, or entering into agreements to sell services or goods for that supplier - do not engage in making direct sales to the general public - do not receive remuneration from a source located within the host Party - nor are they commission agents. 	Up to 90 days in any twelve month period
CSS: 'Contractual services suppliers'	<p>Natural persons:</p> <ul style="list-style-type: none"> - employed by a juridical person of one Party which itself is not an agency for placement and supply services of personnel nor acting through such an agency, has not established in the territory of the other Party and has concluded a bona fide contract to supply services with a final consumer in the latter Party, requiring the presence on a temporary basis of its employees in that Party, in order to fulfil the contract to provide services - must be engaged in the supply of a service on a temporary basis as employees of a juridical person, which has 	A cumulative period of not more than 6 months or, in the case of Luxembourg, 25 weeks in any twelve month period or for the duration of the contract,

⁵ Directive 2014/66/EU

Admitting third-country nationals for business purposes

	<p>obtained a service contract not exceeding twelve months.</p> <ul style="list-style-type: none"> - should be offering such services as employees of the juridical person supplying the services for at least the year immediately preceding the date of submission of an application for entry into the other Party. - must possess, at the date of submission of an application for entry into the other Party, at least three years professional experience in the sector of activity which is the subject of the contract. - must possess a university degree or a qualification demonstrating knowledge of an equivalent level - must possess professional qualifications where this is required to exercise an activity pursuant to the laws, regulations and legal requirements of the Party where the service is supplied. - shall not receive remuneration for the provision of services in the territory of the other Party other than the remuneration paid by the juridical person employing the natural person.. 	whichever is less.
IP: 'Independent professionals'	<p>Natural persons:</p> <ul style="list-style-type: none"> - engaged in the supply of a service - established as self-employed in the territory of a Party who have not established in the territory of the other Party - who have concluded a bona fide contract (other than through an agency for placement and supply services of personnel) to supply services with a final consumer in the latter Party, requiring their presence on a temporary basis in that Party in order to fulfil the contract to provide services - must be engaged in the supply of a service on a temporary basis as self-employed persons established in the other Party - must have obtained a service contract for a period not exceeding twelve months. - must possess, at the date of submission of an application for entry into the other Party, at least six years professional experience in the sector of activity which is the subject of the contract. - must possess a university degree or a qualification demonstrating knowledge of an equivalent - must possess professional qualifications where this is required to exercise an activity pursuant to the laws, regulations or legal requirements of the Party where the service is supplied. 	<p>A cumulative period of not more than 6 months or, in the case of Luxembourg, 25 weeks in any twelve month period or for the duration of the contract, whichever is less.</p>