

Global
Mobility
Solutions
NEWS



**COVID-19: Changes
in Immigration
Policies in Different
Jurisdictions**

Newsletter
Special Edition
No. 1 | 2020

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Editorial

Dear fellow GGI member,

Welcome to the Global Mobility Solutions Practice Group's first publication, a special edition newsletter on the immigration response to COVID-19 of 11 countries. The COVID-19 pandemic is having an unprecedented impact worldwide on immigration policies and procedures, which are intended to contain the spread of the virus. While many of these policies may be temporary, they have the potential to have a lasting impact on the global mobility of people for the foreseeable future.

Nearly all jurisdictions have implemented entry restrictions and heightened admission criteria for certain populations, including prohibitions on entry from high-risk locations. Some countries have gone so far as to temporarily prohibit the entry of all non-citizens and non-residents, with certain exceptions, such as essential workers. Many countries have differing entry criteria for travellers from bordering countries as compared to non-bordering countries. Some jurisdictions are screening travellers in their countries of origin and not permitting the boarding of flights where entry criteria are not met.

Most jurisdictions require travellers from affected regions to quarantine, or self-isolate, upon entry, and some jurisdictions require all travellers, including citizens and permanent residents, to be quarantined upon entry, with certain exceptions. Where quarantines have not been mandated, nearly all jurisdictions have introduced additional health screening procedures at their ports of entry.



This newsletter is intended for reference only, and provides a snapshot, at a specific time, of the policy changes that have been announced in selected jurisdictions around the world in response to the COVID-19 crisis. The pandemic is a rapidly evolving event, at different stages globally, and new changes are being proposed and implemented almost on a daily basis. Many countries are now starting to relax restrictions in response to pressure to revive their economies.

In light of the very fluid nature of the immigration responses to COVID-19, it is my hope to follow-up on this newsletter with updates from the various jurisdictions after the world returns to “normal”, whatever that will look like, if not sooner. In the interim, if you have any questions about a specific jurisdiction's current policy in place, please contact the relevant author.

Asher I. Frankel

**Regional Chairperson North America
of the GGI Global Mobility
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New immigration policies in these unprecedented times. The GGI Global Mobility Solutions Practice Group has collected news from different jurisdictions.



ALBANIA

Albanian Immigration Updates Resulting from COVID-19 Measures

By **Nensi Seferi**

In view of the COVID-19 global pandemic, the Council of Ministers and the Ministry of Health have implemented restrictions on entry into the territory of the Republic of Albania, closed borders, tightened quarantine rules and approved other measures in an attempt to slow the spread of such pandemic.

These measures have been implemented following the first COVID-19 case in Albania, on 08 March 2020, in a continuous manner.

1. Restrictions on borders

By virtue of an order of the Minister of Health no. 156/1, dated 10 March 2020, all flights and maritime transport of people toward Italy have been suspended until further order.

As of 15 March, all land borders with neighboring countries, namely, Montenegro, Kosovo, North Macedonia and Greece



Nensi Seferi

are closed to travellers, and also all flights to and from the UK and Greece are suspended.

Further, as of 22 March, and based on notice of the Ministry of Infrastructure and Energy ("MIE"), all flights to and from Germany, Austria, Hungary and Switzerland are suspended. However, MIE notified that flights from any of the above-mentioned countries, including Italy, aiming to repatriate their national citizens shall be allowed to land at the Tirana International Airport, provided, however, that they do not have any passengers on board.

Foreign citizens currently residing in Albania and wishing to get back to their national country are free to leave the country and should contact their Embassy in the Republic of Albania.

2. Quarantine rules

By virtue of an order of the Minister of Health no. 134, dated 08 March 2020, any Albanian or foreign citizen entering the Republic of Albania from the restricted areas in Italy, is obligated to self-quarantine at their home or place of accommodation.

Later, by virtue of an order of the Minister of Health no. 156, dated 10 March 2020, the requirement of self-quarantine was imposed on any citizen entering the territory of the Republic of Albania from any of the areas identified as such by the World Health Organisation, and subsequently, it was decided that all people coming from abroad should quarantine at their own expense in the accommodation facilities determined by the government, and self-quarantine at their home was no longer allowed.

In case of failure to comply with the quarantine requirement a fine may be imposed amounting from ALL 100.000 (hundred thousand) to ALL 700.000 (seven hundred thousand)

...next page

In case of recidivism after the administrative fine, a punishment of imprisonment for six months shall apply.

3. Visa and work permit

As of the beginning of the COVID-19 global pandemic to date, the Albanian

Government has not approved any legal act regulating the duration of visas and other permits for foreign citizens, residing in Albania, which terms have expired during this period.

However, any application regarding the issuance of visa, work and residence permits may be filed online at the website of e-albania.

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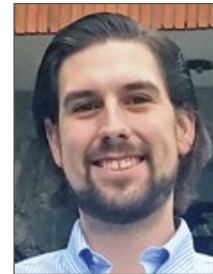
BRAZIL

By **Jacob Rorex**

- At the time of writing, 24 April 2020, Brazil has a reported case number of 50,000 with reported deaths of 3,400, in contrast to the US' totals of 891,000 infected and 50,500 deaths.
- While the scale of infection in Brazil has been comparatively smaller up to this point, the response from government, NGOs, and individuals

has followed a similar model to that of the US. Governors and state administrations in most states have led the charge to implement and maintain health and public safety guidelines, including the following:

- Shutting down of non-essential businesses;
- Ban on public events and gatherings;
- Stay at home orders in effect for non-essential movements;
- Collection and distribution of personal protective equipment and medical supplies (private and public);
- Quarantine measures for individuals with symptoms or individuals returning from abroad.
- Additionally, the government has been working to provide a fiscal and economic relief response that is still being developed and rolled out. Portions of this plan already in place include:
 - Cash payments to qualifying at risk/ low income citizens;
 - Deferment of certain tax filings and liabilities;
 - Business assistance loans and grants;
 - Adjustments to labour legislation.



Jacob Rorex

Immigration, Consular, Embassy Services & Resources

Immigration & Movement Restrictions

- Beginning 23 March 2020, land borders between Brazil and neighboring countries were closed for an initial period of 15 days (now indefinitely). The decree was also expanded at the end of March and applies to air bridges and includes countries worldwide which have closed their own borders. Cargo transportation should not be affected, just entry of foreigners by land.
- Beginning on 23 March 2020, the federal government began restricting the entry of foreign passengers on

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international flights from a number of countries. The decree includes: China, EU member countries, Iceland, Norway, Switzerland, the UK, Northern Ireland, Australia, Japan, Malaysia, South Korea.

- The restrictions do not apply to Brazilians, born or naturalised; immigrants with prior authorisation for permanent residence in Brazilian territory; foreign professionals on mission at the service of an international organisation, as long as duly identified; and foreign employees accredited to the Brazilian government.
- Failure to comply with the measures will result in deportation and civil, administrative and criminal liability.

Assistance to Foreign Nationals in Brazil

- Brazilian official sources continue to direct foreign nationals to their respective consulate and embassy teams for services and information on best dealing with the COVID-19 crisis.
- US nationals: At this time, it appears, based on the local US Brazilian Consulate, that the majority of services have been suspended, as the consulate provides only emergency services. Consular documents will only be issued based on the following emergency situations: 1) Tourists with lost/stolen passports; 2) Death; 3) Hospitalisation. ([↗ Additional Info](#)).

- [↗](#) List of institutions that provide voluntary assistance programmes for immigrants.
- Note: Legal immigrants with valid CPF identification are eligible for emergency aid under the current legislation ([↗ Additional Info](#)).

Assistance to Brazilians Abroad

- [↗](#) Official communications through Itamaraty & Brazilian Consular Offices
- [↗](#) Recommendations for Brazilians travelling abroad

Additional sources & information prepared and available upon request.



The Canadian Immigration Approach to COVID-19 Containment

By Asher I. Frankel

Canada has implemented policies and procedures that differentiate

between arrival from the US, and travel from all other countries. Although the government has not articulated explicitly the reason for this distinction, it most likely results from the fact that the US is Canada's largest economic trading partner, and the only country with which Canada shares a land border, which is the world's longest un-militarised border.



Asher I. Frankel

Entry Restrictions

Canada's borders are closed to all foreign nationals, i.e., non-Canadian citizens and non-permanent

residents, with limited exceptions. Visitors cannot enter Canada by land, sea or air for purposes such as tourism or entertainment. If travelling by air from any country, including the US, temporary residents are only allowed to board a flight to
...next page

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Canada if they qualify under an air travel exemption. They must demonstrate that they are not travelling for an optional or discretionary purpose. The bar to entry may not apply to asymptomatic:

- Immediate family members of Canadian temporary residents (work permit holders, study permit holders, visitors) who reside in Canada, for the purpose of reunification;
- Foreign nationals holding a valid work permit, and those who have been pre-approved for a work permit;
- Flight and marine crews; and
- Other various persons.

Quarantine Measures

All international travellers must self-isolate for 14 days and contact health professionals immediately if experiencing COVID-19 symptoms. Travellers are expected to present a credible plan for self-isolation

immediately upon arrival in Canada, including safe transportation from the airport to a place of self-isolation, plans for self-care, etc. Failure to present a thorough self-isolation plan upon arrival may result in refusal of admission.

Exemptions from the isolation requirement were created, among others, for those admitted to deliver health care and critical medical equipment/supplies, and individuals designated as providers of essential services. Additional exemptions from the 14-day isolation requirement were included for licensed professionals destined to work in healthcare, residents of “integrated trans-border communities”, and other categories.

Heightened Admission Criteria

Business visitors must demonstrate that they are not travelling for optional or discretionary purposes. Business visitors will not be permitted to enter by air if departing from any country other than the US. Business visitors may be permitted to enter from the

US if not travelling for an optional or discretionary purpose. Foreign nationals seeking entry to Canada should be prepared to explain to the border officials why their presence in Canada is non-discretionary/non-optional. Any traveller displaying COVID-19 symptoms will not be permitted to board a flight to Canada, regardless of citizenship or purpose.

Once the traveller arrives in Canada, any information, such as previously being tested for COVID-19, having experienced the characteristic symptoms, having had the disease, or having been in close physical contact with anyone infected in the prior two weeks, must be disclosed to the Canada Border Services Agency, as they will make the final determination on entry into Canada.

I have included a [🔗](#) link that may provide you with additional information on travel restrictions and exemptions as a result of COVID-19.

I invite you to visit my firm’s COVID-19 resource center at [🔗 devrylaw.ca/COVID-19-updates/](https://devrylaw.ca/COVID-19-updates/) or contact me directly with any questions.



How the Coronavirus Disease (COVID-19) is Affecting Immigration in France

By Carole Hong Tran

The COVID-19 epidemic, which shut down many administrative services in France, definitely has consequences on all aspects of daily life, including, of course, for foreigners who live in France. Thus, while many foreigners in regular circumstances must have their residence permits renewed each year, there was a great risk that many would find themselves in an irregular situation simply because of the administration’s inability to adjudicate cases on time, resulting in foreigners being deprived of their social rights.



Carole Hong Tran

Extension of visas and residence permits

To avoid this, as early as 18 March 2020, the government announced, along with other measures aimed at the preservation of rights, the extension

of all residence permits by six months. Indeed, the emergency bill to deal with COVID-19 provides that residence permits that expire between 16 March and 15 May 2020 will be extended. The extension, originally set at 3 months, is extended to 6 months under article 16 of the Emergency Act. This measure applies to the following categories of visas and residence permits that expired between 16 March and 15 May 2020:

- Long-stay visas
- Residence permits, except for those issued to foreign diplomatic and consular staff;
- Temporary residence permits;
- Receipts for residence permit applications.

As the reception of applicants for residence permits in the prefectures is suspended until further notice, this extension is automatic. Its objective is to limit travel while securing the presence of foreigners in a regular situation. When the prefecture’s counters are reopened, applicants will be able to obtain more information about how applications are regularised, and receipts are renewed.

It is, however, not recommended that foreigners with an expired title benefiting from this extension should leave French

territory. They may face difficulties in re-entering the country, as some countries have announced the closure of their land borders with France. Short-stay visas are not included in the list of documents covered by the text, but several prefectures have begun to continue to process applications for extensions.

Access to asylum processing suspended

It is especially difficult for people who having just arrived in the territory and having not yet been able to apply for asylum, that things become particularly complicated. In the absence of permanent staff, appointments in associations and then in prefectures in order to register an asylum application are almost non-available. Without accommodation, these migrants, deprived of access to the asylum application, are therefore in theory deportable. However, with the restrictions on air travel, the number of expulsions has since been reduced considerably. The validity of asylum certificates is extended by 90 days (3 months) as well under the Emergency Act.

Life “after COVID-19”?

What will happen after the lockdown? How long before all public services will work properly again? No one can say for sure. Only one thing is certain: the visa renewal process will be subject to more delays. To be continued.

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German Entry Quarantine Regulations – 14-days of Quarantine when Travelling to Germany – Are there any Exceptions?

By **Dr Angelika Baumhof** and **Cathrin Kirchbach**

This article was written on 28 April 2020.

Due to the ongoing pandemic, Germany has made quarantine regulations for entry and return journeys, in addition to the legal permission to enter into Germany.

For this reason, the German Confederation, in cooperation with the respective federal states, has drawn up a uniform recommendation for



Dr Angelika Baumhof



Cathrin Kirchbach

an entry quarantine regulation, which the federal states responsible under Germany’s federal structure already issued for each federal state in April. In principle, the recommendation stipulates that persons entering or returning to the Federal Republic of Germany at first have to undergo a 14-day domestic quarantine. In addition, they are obliged to inform the responsible authorities of a quarantine plan immediately, without culpable delay, after entering the country. If symptoms indicating an infection with the corona virus appear after entry, the person concerned is also obliged to inform the responsible authorities.

However, with regard to the applicability of the measure, the recommendation stipulates important exceptions, such as for persons engaged in the international transport of persons or goods, as well as for activities aimed, inter alia, at maintaining the integrity of public health care, public security and public order or the judiciary system, i.e. lawyers.

Furthermore, persons who travel daily (commuters) or for a period of several

hours or several days, for a maximum of five days, depending on the definition of the respective federal state concerned, may continue to enter the country without a 14-day quarantine, if there is a mandatory professional or medical reason for entry, which cannot be delayed. A written confirmation issued by the customer is useful, in order to be presented to the authorities.

According to the explanatory memorandum to the regulation, a business trip is in any case mandatory, if there is a risk of contractual penalties or significant financial loss.

The recommendation also provides for the possibility of further exemptions from the quarantine order in justified individual cases. Nevertheless, this has to be requested from the responsible authority first.

The ordinances issued by the federal states on the basis of the recommendation were initially issued by the individual federal states only for a limited period until 03 May 2020, however, they have since been extended.

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Immigration Updates Resulting from COVID-19 Measures

By **Vijesh Zinzuwadia**

Immigration has two major aspects i.e., travel mode and visa requirements. The Indian Government, considering social distancing, has taken the following steps, which can be summarised as follows:



**Vijesh
Zinzuwadia**

Travel Restrictions

The Government has specified the following details for the travel restrictions:

- International passengers from the EU, European Free Trade Association, Turkey and the UK are restricted from entering India with effect from 18 March 2020 until further notice.
- All scheduled international passenger Flights/Transportation

Services from places other than those mentioned above, shall remain cancelled until further notice.

- International passenger flights can land in India and stay in the country for 20 hours maximum, during this time the flights shall not be allowed to disembark the passengers on Indian soil irrespective of them being Indian nationals or not.
- Cargo ships and flights are allowed land in India, but only to load.

foreigners who are diplomats, official passport holders, those in UN/International Organisation, those holding project and employment visas and those who are operating as aircrew of scheduled commercial airlines.

- Foreigners entering India from Italy or the Republic of Korea shall only be allowed to enter if they have a negative COVID-19 certificate.
- The visas of all the dependent visa holders shall stand cancelled.
- Nepal and Bhutan passport holders can enter India without a visa.

2. Indian Citizens

- Indian Citizens who are abroad
 - Indian citizens travelling from the EU, European Free Trade Association, Turkey and the UK from 18 March 2020, and from the Philippines, Afghanistan and Malaysia from 17 March 2020 are restricted from entering India until further notice.
 - Indian citizens returning from Italy or the Republic of Korea will not be allowed to enter India from 18 March 2020 until further notice.
 - Indian citizens transiting from China, the Republic of Korea, Iran, Italy, Spain, France, Germany, UAE, Qatar, Oman and Kuwait shall be quarantined on arrival.

- Indian Citizens who wish to travel abroad

- Indian citizens are advised to avoid non-essential foreign visits.

...next page

Visa Restrictions

1. Foreigners with respect to India

- Foreigners who are in India
 - They can apply for extension with the Foreign Residents Registration Office(FRRO) through the e-FRRO
 - They can go out of India but can return only with a fresh visa issued from a Mission/Post.
- Foreigners who have a visa but are not in India
 - All visas granted are suspended until further notice, except for

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If the visit is to the above stated countries from where entry is restricted, then the traveller would not be able to return to India.

3. Overseas Citizenship in India

- Overseas citizens in India are not required to apply for a fresh visa if they are not coming from the EU,

the European Free Trade Association, Turkey, the UK, the Philippines, Afghanistan and Malaysia.

- Infants/children who hold foreign passports with OCI cards, but have Indian parents, are not allowed to enter without a fresh visa from an Indian Mission/Post.

The pandemic has taken control of the world and immigration restrictions are one of the keys to defeat it. Once the world overcomes the virus, the immigration process will be normalised by the government.

Till then stay safe and stay home.

IRELAND

Ireland's Immigration-Related Response to the COVID-19 Coronavirus

By Tom Murray

As in every major global government's response to the COVID-19 pandemic, several important announcements have been made, which involve temporary changes to the normal immigration rules.



Tom Murray

will be deemed to have automatically renewed by the Minister for Justice and Equality for a period of 2 months.

The renewal of the permission will be on the same basis as the individual's existing permission, and the same conditions attach.

Temporary Measures for Current Employment Permit Holders

Such employees are now permitted to work remotely from home once the employer notifies the Department of Business, Enterprise and Innovation (the "Department"). The Department expects that when these temporary measures are lifted, employees will once again work at the location stated on their employment permit.

If any employment permit holders

are to be temporarily laid-off, the Department will take into consideration the measures introduced to deal with COVID-19 when assessing the salary and working hours conditions at the renewal stage.

If an employment permit holder is made redundant, the employment permit holder may seek employment in an eligible occupation and apply for a permit within six months of the date. In such circumstances, the employer cannot secure a license for a particular trade for a period of six months.

All immigration permissions to reside in the State that have expired between 20 March 2020 and 20 May 2020

Amendments to the Employment Permit Application Process

An electronic version (PDF) of an employment permit will be issued by email to the employer/employee or agents as proof of an employment permit having been granted for the named employee. This will be accompanied by a letter from the Department, and both documents should be presented to immigration officials for verification purposes.

It should be noted that any individuals arriving in Ireland from another

country, at present are required to restrict their movements for 14 days.

Processing of New Visa Applications

The Immigration Service Delivery of the Department of Justice and Equality announced that it was temporarily ceasing the processing of new visa applications.

This is in effect a partial travel ban and means that effective from 20 March non-EEA nationals from visa-required countries may not enter Ireland. Certain priority/emergency cases will continue to be processed and can be

applied for online in the usual way, and these include the following:

- emergency visa (e.g. healthcare professionals, health researchers, and elderly care professionals);
- immediate family members of Irish citizens (who are returning to their ordinary place of residence in Ireland);
- persons legally resident in the State;
- persons entitled to avail of the provision of the EU Free Movement Directive;
- transport personnel engaged in the haulage of goods and other transport staff to the extent necessary; and

- diplomats, staff of international organisations, military personnel and humanitarian aid workers in the exercise of their functions.

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NORWAY

By **Knut Einar Rishovd**

Temporary border controls

The police department has instituted temporary entry and exit controls

at the inner and outer Schengen border, but no border crossing points are being closed. Airports are open, but with limited service.

To limit the spread of infection by people arriving in Norway from other countries, extensive border controls were introduced with effect from Monday 16 March. Transport and the provision of goods, including crucial products like medicines, is allowed to continue.

The main rule

The Foreign Office or the police can and will normally reject (deny entry to Norway) foreigners without a residence permit in Norway. Foreigners who have been rejected must leave Norway without undue delay. There are exceptions for persons resident in the EU/EEA.



Knut Einar Rishovd

There are also exceptions relating to the individuals private situation (resident permit problems, travel restrictions, weddings, funerals, etc.).

Required quarantine

Any person entering Norway from a foreign country must stay quarantined for 14 days. Employers may give exceptions to the quarantine rules regarding people who are deemed essential for maintaining functions critical for health and

...next page

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safety. Such functions may include

- on-duty personnel in the healthcare services;
- police, fire and rescue services;
- top management of critical social functions.

The exception does not apply to leisure time, only when at work or travelling to and from work with anything other than public transport. They should, as far as possible, avoid close contact with other persons.

Medical care

Anyone staying in Norway is entitled to medical care in an emergency.

Work- related travel – EU/EEA resident persons

EU/EEA citizens that are going to start working in Norway – He/she can travel

to Norway and start working, assuming the following conditions are met:

- you have a work contract with a Norwegian employer (when you travel, make sure to bring your work contract), or
- you have a work contract with a company in another EU/EEA country that has given you an assignment in Norway (when you travel, make sure to bring your work contract and confirmation from the company in Norway which shows that the company you are employed by is going to carry out an assignment for them), or
- you have your own company in another EU/EEA country and have an assignment in Norway (when you travel, make sure to bring documentation of your company and a confirmation/work contract from the customer or company you are going to do an assignment for).

EU/EEA citizen already living in Norway – He/she can enter the

country as long as he/she can document that he/she is living in Norway. Acceptable documentation is a rental contract, a work contract, a confirmation from your employer, an access card/badge from your work place or a business card.

EU/EEA citizen living in Sweden/ Finland and working in Norway – Persons who cross the border between Sweden and Norway, or Finland and Norway, while travelling between their residence and place of work, are exempt from quarantine duty as long as they are in employment.

EU/EEA national or family member laid- off from a job in Norway – A person who has been in Norway for more than one year that can document being laid off and registered with the NAV (government organisation offering unemployment benefits) can stay. Persons having stayed in Norway for less than a year that have been laid off will keep their status as an employee for a period of six months, if the person registers as unemployed with the NAV.

THE NETHERLANDS

By Wytske Wijnobel

To combat the further spread of COVID-19 the Dutch Government has taken the following immigration related regulations:

- The Schengen border has been closed to people from countries outside Europe until further notice, although some exceptions apply.
- The Dutch Government allows people to travel to the Netherlands with a valid MVV (provisional residence permit) or a Dutch

residence permit, including if they travel to the Netherlands from non-Schengen countries.

- Upon arrival in the Netherlands no quarantine period is required. However, the Dutch Government appeals to stay home as much as possible and obliges people to stay home when feeling ill.
- Dutch Embassies and Dutch Consulates General are closed which means that neither MVV's nor visas can be collected until further notice.



Wytske Wijnobel

- The Dutch Immigration Authorities (IND) have introduced an additional notification obligation. Recognised sponsors are obliged to notify as the IND wants to be informed of every possible complication due

to COVID-19 with regard to active files. As a result, the following need to notify until further notice: if unable to start at the start date of an employment agreement, exceeding of time limits of being outside the Netherlands in respect to the relevant Dutch residence permit, and being abroad in lockdown (non-exhaustive examples).

- A highly skilled migrant must meet the salary requirements. If not, this might affect the Dutch residence permit. Therefore, the IND must – as always – be notified if the salary drops under the salary requirement. Unfortunately, the IND has not made any policy yet whether salary requirements will be more flexible due to possible liquidity problems.
- People staying in the Netherlands with a short-stay visa which has expired can call the IND's information line. They can extend the short-stay visa for

the Netherlands on certain conditions.

- It is still possible to submit applications at the IND and they still process applications. Please note, however, the target decision time might be a little longer.

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- It is only possible to schedule an appointment with the IND to collect the first Dutch residence permit, when someone has travelled to the Netherlands with an MVV and when someone needs the Dutch residence permit to apply for a health insurance or to register in the Dutch population registration (BRP). All other appointments cannot be scheduled until further notice.

- The Municipalities, the Municipal Health Services (GGD) and other public services have taken several measures and adjusted their services. It depends per public service which measures are taken and which services are adjusted.

Our immigration specialists have summarised the most relevant immigration-related measures. Please check out our website for the most up to date version: limes-int.com/covid-19-immigration-measures/



Impact of COVID-19 on UK Immigration

By Alan Rajah

Because of COVID-19, UK immigration has been significantly impacted, with some employees not knowing whether they will have a job, or if they will be stranded indefinitely in the UK or overseas.

The Home Office has introduced a number of temporary changes to assist visa holders and those businesses holding a sponsor licence. Currently, businesses can only employ non-EU nationals if they hold a sponsorship licence. This will



Alan Rajah

change from 01 January 2021, as any UK business looking to hire EU and non-EU citizens will need to apply for a Tier 2 sponsorship licence. Employers who currently hold a sponsorship licence remain bound

by their sponsorship duties. The Home Office has outlined that where an employee is placed on unpaid leave, the Sponsor does not need to withdraw their sponsorship and will not face compliance action.

Any reductions in salary must be temporary and the employee(s) pay must return to at least its previous level once the coronavirus measures have ended.

Sponsors do not need to report absences and they do not need

...next page

to withdraw sponsorship if an employee is absent from work without pay for 4 weeks or more.

Sponsors do not need to notify the Home Office that a sponsored employee is working from home. However, they will still need to report other changes to working arrangements as usual.

If a migrant is in the UK and their leave expires between 24 Jan - 31 May 2020, their visa will be extended to 31 May 2020 if they cannot leave due to travel restrictions or self-isolation.

Migrant workers must request an extension by updating their records

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with the Home Office's coronavirus immigration team if their visa is expiring, and they cannot leave the UK, but are not intending to stay in the UK long term. However, if they want to stay in the UK for a longer period they can apply to switch to a long-term UK visa until 31 May 2020.

If an individual is in the UK as a Tier 1 Entrepreneur, they do not need to employ at least 2 people for 12 consecutive months each. Tier 1 Entrepreneurs may decide to furlough staff if their business has been disrupted.

For those Tier 2 and 5 applicants who have submitted their application and are awaiting a decision, they may start work before their visa application has been decided, as long as their sponsor has assigned a Certificate of Sponsorship (CoS) and has submitted their application before the expiry of their existing visa with evidence their sponsor and the job they start is the same as the one listed on the assigned CoS.

If the application is unsuccessful, the sponsor would need to stop sponsoring the individual.

Visas of some NHS workers and their families will be automatically extended

for another year if it is due to expire before 01 October 2020. There is also no limit on the number of hours that can be worked each week whilst the UK battles with COVID-19 for NHS doctors, nurses or paramedics as long as they are any of the following:

- Tier 4 student
- Tier 2 worker and the NHS job is a second job
- Visiting academic researcher
- Holder of a short-term visa and are permitted to volunteer

Furthermore, the deadline for pre-registration nurses in the UK to sit for the Occupational Structured Clinical Examination (OSCE) has been extended to 31 December 2020.

Non-EU nationals are able to apply for a start-up or innovator visa in the UK, if they wish to set up a business.

Conclusion

The Home Office has made the required changes following the COVID-19 pandemic to ensure that employers and individuals are not affected by the global shutdown of economies around the world.



USA

By Myron R. Morales

On 22 April 2020, President Trump issued a proclamation "Suspending the Entry of Immigrants Who Present a Risk to the US Labour Market During the Economic Recovery Following the COVID-19 Outbreak".

The proclamation took effect on 23 April 2020 and will expire in 60 days

unless continued. The proclamation is widely viewed as an extension of the travel restrictions that the Administration has already imposed on parts of Europe, China, Canada, Mexico and Iran. Specifically, the proclamation applies to persons who:

1. Are outside of the US on the effective date of the proclamation;

2. Do not have an immigrant visa that is valid on the effective date; and,
3. Do not have an official travel document other than a visa that is valid on the effective date, or that is issued on any date thereafter.

Although the proclamation includes exemptions, the primary purpose is to block the admission of persons

travelling to the US as Permanent Residents for the first time. This includes persons who obtained, or are seeking to obtain, residence through employment or family-based petitions. The proclamation does not affect persons already in the US as Permanent Residents, or seeking

admission as spouses of citizens, EB-5 Investors, some minor children, members of the armed forces and their families, or nonimmigrants, including some visa waiver entrants. It does, however, allow the President to extend such restrictions to nonimmigrant programmes.



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Many persons affected by this proclamation were already unable to obtain entry documents as most US Consulates around the world have been closed. For eligible persons with valid entry documents, admission to the US is still possible. Travel must be balanced with the risks posed by cancelled flights, quarantine requirements, and other restrictions that could keep a person outside of the US beyond the validity dates of their travel documents.

The proclamation does not hinder the ability to make applications before the US Citizenship & Immigration Service (USCIS). Although applications will continue to be processed, bringing

some applications to a final decision will be hindered. For example, the USCIS has cancelled all Naturalisation ceremonies and Permanent Resident interviews until at least 04 June 2020. For persons who entered the US under the visa waiver program, the USCIS recommends making an application for Satisfactory Departure to avoid falling out of status. For persons who entered on a temporary visa, the USCIS has indicated that it will consider inability to depart due to COVID-19 as valid basis for an extension or change of status, on a case-by-case basis. Thus, compliance and maintenance of status have become more complex.



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