



WORK AND RESIDENCE PERMITS AND BUSINESS ENTRY VISAS

OPERATING GUIDE

International companies in Sweden may look to transfer staff from one part of the group to Sweden or to recruit new employees from another country. International research collaborations often entail researchers coming to Sweden to be part of a research group. This guides international investors through the necessary permit procedures.

EU/EEA CITIZENS

Visits of up to 90 days

As Sweden is a member of the European Union (EU) and a signatory to the European Economic Area (EEA) agreement, citizens of EU/EEA countries only require a valid passport or national identity card to enter Sweden for periods of up to 90 days. An agreement between Switzerland and the EU also gives Swiss citizens the same freedom of movement.

Stays of more than 90 days

EU/EEA citizens do not require a residence permit to stay in Sweden for more than 90 days if they have a right of residence according to the rules for freedom of movement within the EU. Employment, running a business, studying or the possession of sufficient means normally entails the right of residence which means that an EU/EEA citizen and his/her family members are permitted to stay in Sweden for more than 90 days without a residence permit. Family members who are not EU/EEA citizens must apply to the Swedish Migration Agency (Migrationsverket) for residence cards.

Any person who intends to live in Sweden for more than one year should normally be registered in the Swedish Population Register which is kept by the Swedish Tax Agency (Skatteverket). EU/EEA citizens becoming employed in Sweden must enclose a certificate of employment from their employer stating the duration and type of

employment when registering in the Population Register.

Individuals who provide a service, for instance on a consultancy or freelance basis, need to confirm this, by means of a certificate, agreement or similar documentation, when register in the Population Register. The document must be written and signed by the person receiving the service.

No work permit required

Citizens of EU/EEA countries do not need a work permit in Sweden and can start working from the day they enter the country.

NON-EU/EEA CITIZENS

Visas required for temporary visits of up to 90 days

Citizens of non-EU/EEA countries will require a "Schengen visa" to enter Sweden. However, visas are not required for citizens of certain countries (the US, Japan, Canada, among others). A complete list of countries for which visas are required is available on the website of Migrationsverket under "Facts about Visas".

Foreign citizens can apply for a visa at most Swedish embassies or consulates or on line. In some countries where Sweden do not have an embassy applications can also be made to an embassy of another Schengen country representing Sweden concerning visa issues.



IN BRIEF

- ▶ Sweden is part of the Schengen zone
- ▶ No work permit needed for citizens of EU/EEA countries
- ▶ Work permits for non-EU/EEA citizens require a written offer of employment

Applicants must be able to show that the visit will be temporary, that they can support themselves financially during the stay and that they have an invitation from a Swedish company or resident, medical travel insurance and tickets or funds to return home.

Work permit procedures

Non-EU/EEA citizens becoming employed in Sweden require a work permit before entering the country. The fastest way to get a decision is normally to apply online on the website of Migrationsverket. Work permits can also be applied for at the Swedish embassy or consulate in the applicant's country of origin or residence. The consulate or embassy forwards the application to Migrationsverket for adjudication. A condition for a rapid decision is that the application is complete whether the application is submitted electronically or at an embassy.

The permit application must include a written offer of employment in Sweden issued by the Swedish employer (form available on the website of Migrationsverket). It must include information on salary, insurance and other employment conditions in Sweden. The salary and other employment conditions must be at least equal to Swedish collective agreements for the specific profession or customary with the market levels in Sweden for that specific profession. The relevant labor union in Sweden must be given the opportunity to express an opinion on the terms of the employment. The union's opinion must be included in the offer of employment and attached to the application for work permit.

Companies in Sweden that have operated for less than a year and employ non-EU/EEA citizens also need to enclose documentation in the work permit application showing that the prospective employee has:

- ▶ his/her salary guaranteed for at least three months, for example through a guarantee from a bank or financial partner, bank statement or contract.
- ▶ received a document about key terms and conditions, such as salary, working hours, nature of work and length of employment. The document needs to be signed by the prospective employee.

Companies operating in certain industries, including hotels, restaurants and construction, and that employ non-EU/EEA citizens need to meet additional requirements.

SCHENGEN COUNTRIES

Members of Schengen

Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain and Sweden.

Members of Schengen by cooperation agreement

Iceland, Norway and Switzerland.

EU/EEA COUNTRIES

EU member states

Austria, Belgium, Bulgaria, Cyprus, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom.

EEA countries

The EEA consists of the EU member states and Iceland, Norway and Liechtenstein.

More information can be found on the Migrationsverket website.

Work permits, when approved, are restricted to employer and a particular profession and is linked to the length of the contract the first two years. For employment contracts longer than two years, the employee must apply for a new work permit before the old permit has expired. In case of intra-group transfers there is no need to advertise the job.

In the case of new recruitments, the employment offer must show that the employer in Sweden has advertised the job in Sweden and the EU for at least 10 days. The employer in Sweden has full discretion when choosing whom to employ.

Residence permit required for stays of more than 90 days

Non-EU/EEA citizens require a residence permit to stay in Sweden for more than 90 days. Applications for residence permits are submitted simultaneously when applying for a work permit. The Residence Permit Card must be obtained before arrival in Sweden. As with work permits the fastest way to get a decision is to apply online on the website of Migrationsverket. Residence permits can also be applied for at the Swedish embassy or consulate in the applicant's country of origin or residence. The consulate or embassy forwards the application to Migrationsverket for adjudication.

Family members of a person granted a residence permit to work in Sweden (for example, a spouse or cohabitant and children under 21) may also be granted residence permits for the same period. Family members may also be granted work permits.

A person who has worked and held a residence permit in Sweden for four years may be granted permanent residence.

Non-EU/EEA citizens who are long-term EU/EEA residents

Non-EU/EEA citizens who have held a residence permit in an EU/EEA country for more than five years may acquire the status of long-term resident in that country. Long-term residents in an EU country acquire certain rights

which are similar to those of EU citizens. These entail greater freedom of movement to work in the EU. Family members are entitled to accompany the individual.

Denmark, Ireland and the United Kingdom are not covered by the rules for long-term residents. This means that a person cannot acquire the status of long-term resident in these three countries.

A person with the status of long-term resident in an EU member state (who has been granted the special EC long-term residence permit) and who wants to spend more than 90 days in Sweden needs to apply for a residence permit. Applications are either posted to Migrationsverket or handed in to a Swedish diplomatic mission abroad. The application can also be handed in to a local migration board office in Sweden, after arrival.

When moving to Sweden from another EU/EEA country, an applicant must provide additional information with the residence permit application.

Long-term EU/EEA residents becoming employed in Sweden must enclose a certificate of employment from their employer stating the duration and type of employment.

Individuals who provide a service, for instance on a consultancy or work on a freelance basis, need to confirm this fact (for example, by means of a certificate, agreement or similar documentation). The document must be written and signed by the person receiving the service.

EXEMPTION FROM WORK PERMIT

Specialists working temporarily in Sweden

Non-EU/EEA specialists employed by an international company or group and who travel to and from Sweden for periods of temporary work do not require a work permit. This exemption applies if the total stay in Sweden does not exceed 12 months. However, for stays shorter than 90 days, citizens in certain countries must have an entry visa granted prior to arrival. If the stay is longer than 90 days at a time a residence permit will be required and must have been granted prior to arrival.

Visiting researchers

A visiting researcher is a person who has undergone higher education which gives access to doctoral studies and the purpose of the stay is to take part in research work.

A person planning to work longer than 90 days as a visiting researcher does not require a work permit but must have a residence permit. Visiting researchers who plan to work for a period shorter than 90 days in Sweden do not need a residence permit. For work that is shorter than 90 days, citizens in certain countries must have an entry visa.

An employer wishing to employ a visiting researcher must be approved as a research organization by the Swedish Research Council (*Vetenskapsrådet*). The research organization must also prepare a hosting agreement with the visiting researcher. The hosting agreement must show that the visiting researcher has undertaken to conduct a research assignment and that the research organization hosts the visiting researcher. It must be signed by both parties.

The hosting agreement must also contain details of:

- ▶ purpose, duration and funding of the research project
- ▶ the visiting researcher's qualifications to complete the assignment
- ▶ the visiting researcher's terms of employment
- ▶ comprehensive health insurance if the visiting researcher plans to stay for less than one year in Sweden
- ▶ sufficient funds for support of the visiting researcher during his/her stay in Sweden and for the return journey. For more information about the amounts applicable, see the website of Vetenskapsrådet.

Some further exemptions from work permits apply and are listed on the website of Migrationsverket.

APPLY ELECTRONICALLY

At www.migrationsverket.se

A complete electronic application is the fastest way to get a decision.

USEFUL CONTACTS

GOVERNMENT AGENCIES**Swedish Migration Agency (Migrationsverket)**

SE-601 70 Norrköping

+46 771 235 235

www.migrationsverket.se

The Migration Agency is responsible for permits for people visiting and settling in Sweden, citizenship affairs, repatriation, international work and other collaborative bodies.

Working in Sweden

www.workinginsweden.se

A website describing the practicalities of living and working in Sweden.

Swedish embassies and consulates

www.swedenabroad.se

The website for Swedish Diplomatic Missions abroad.

Swedish Research Council (Vetenskapsrådet)

www.vr.se

The Swedish Research Council is the public agency that approves research institutions and issues regulations on salary levels for researchers.

FURTHER INFORMATION

At www.business-sweden.se

- ▶ Running a business in Sweden – an introduction
- ▶ Tax relief for key foreign employees