

# Work authorisation for family members

## Global summary of country regulations

*35 countries now allow accompanying spouses or partners to be freely employed or self-employed during an expatriate assignment. This was only a small handful when Permits Foundation started in 2001.*

Permits Foundation campaigns globally to improve work permit regulations to make it easier for partners of internationally assigned or recruited staff to gain employment during an international assignment. The best practice allows legally resident spouses, partners and other recognised family members to work freely, without a test of the labour market and not restricted to a particular employer.

This summary is an evolving list of countries that have favourable working arrangements for accompanying family members. They differ in the applicable visas for the principle employee, for example, whether the concession applies to family members of all work permit holders or to defined categories of highly skilled employees or intra-company transfers. They also differ in the definition of eligible family members who are allowed to accompany and who are allowed to work.

Most of the countries in our list have adopted the best practice of allowing the recognised family members to work freely in employment or self-employment throughout the assignment. We also include countries that have made positive moves toward best practice, for example, by adopting a fast-track in-country conversion procedure for a spouse or partner who gets a job offer or by allowing self-employment.

Family members of diplomatic staff and employees of international organisations should check with the employing organisation whether similar arrangements apply and what impact this has on diplomatic immunity.

If a country does not appear on the list, we are not aware of any employment concessions for accompanying family members of work permit holders. In those cases, a spouse or partner would generally need to apply for a full and separate work permit, not linked to the principal employee.

This summary is ordered in the following sections:

**Europe, including the European Union**  
**Asia and Pacific**  
**Latin America**  
**North America**

Other regions and countries will be added to the lists as progress is made. For example, South Africa has published a White Paper on immigration that envisages work authorisation for family members of critical skills visa holders. Permits Foundation supports this change and has [proposed](#) that it also be applicable to intra-corporate transferees.

We welcome updates and corrections.

# 1. Europe, including European Union

## European Union (EU)

This section summarizes some key aspects of legislation for EU and non-EU nationals. EU Member States are marked with an asterisk\* to distinguish them from other European countries outside the EU. In the individual country sections, we focus on regulations for family members of non-EU citizens, often referred to in regulations as third country nationals. Generally, Denmark, Ireland and the UK opt out of EU legislation for third country nationals. In addition to EU legislation (e.g. Blue Card and ICT Directives), Member States may also have national schemes. Families should apply under the scheme that best fits their situation and seek individual advice where necessary.

### Citizens of the EU/EEA

Free movement of workers normally applies. The spouse and children are also free to work, irrespective of nationality. During a transition period of up to 7 years after the accession of Croatia from 2013, conditions may be applied that restrict the free movement to and from Croatia. These transitional arrangements are gradually being removed. For citizens from outside the EU/EEA, refer to individual countries, marked with an asterisk\*.

[www.ec.europa.eu/eures/main.jsp?acro=free&lang=en&step=1&accessing=0&content=1&restrictions=1&fromCountryId=null&countryId=NL&langChanged=true](http://www.ec.europa.eu/eures/main.jsp?acro=free&lang=en&step=1&accessing=0&content=1&restrictions=1&fromCountryId=null&countryId=NL&langChanged=true)

### EU Blue Card

The EU 2009 Directive on highly qualified third country nationals has been implemented in national legislation by participating Member States. It established attractive conditions for highly qualified third country nationals by creating a common fast-track procedure and conditions for Member States to issue a residence/work permit called the EU Blue Card. Under Article 15.6, dependants have access to the employment market without a time limit. The UK, Denmark and Ireland did not adopt the Directive but have own arrangements for dependants.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:155:0017:0029:EN:PDF>

### Intra-corporate transfers

A Directive on Intra-Corporate Transfers of third country nationals was adopted by the EU Council in May 2014, following an earlier vote in the EU Parliament. As a result of Permits Foundation's lobby, family members are entitled to take up employment or self-employment throughout the assignment. Member States had until November 2016 to transpose the Directive in their national legislation with almost all having implemented by 2019 (Belgium pending). The UK, Denmark and Ireland did not adopt the Directive but have own arrangements for dependants.

[http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/jha/142571.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/142571.pdf)

[http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L\\_.2014.157.01.0001.01.ENG](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.157.01.0001.01.ENG)

### Austria\* (For non-EU/EEA citizens)

Family members of the holders of Austria's "Red-White-Red Card", "EU Blue Card" or long-term residents obtain the residence title "Red-White-Red Card Plus", which grants free access to the labour market. Family members are spouses, registered partners and unmarried minors including adopted and step children. Spouses and registered partners must be 21 years of age or older when applying.

[www.migration.gv.at/en/types-of-immigration/permanent-immigration-red-white-red-card/family-reunification](http://www.migration.gv.at/en/types-of-immigration/permanent-immigration-red-white-red-card/family-reunification)

### Belgium\* (For non-EU/EEA citizens)

In Belgium, as of January 2019, following the implementation of the EU single permit directive and transposed nationally via royal decree, family members of highly-skilled employees have direct access to employment. The single permit applies to foreign nationals working in Belgium for longer than 90 days and covers blue card holders and former B category permit holders. Intra-corporate transferees will also be covered when that directive is implemented in Belgium (expected end 2019). The changes apply to all regions of Belgium. All types of work are covered under the single permit apart from self-employed work. Dependants wishing to carry out self-employed work will need to apply for a "professional card" in addition to their dependant residence card.

[http://www.ejustice.just.fgov.be/cgi\\_loi/change\\_lg.pl?language=nl&la=N&cn=2018090204&table\\_name=wet](http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2018090204&table_name=wet)

[https://www.belgium.be/en/work/coming\\_to\\_work\\_in\\_belgium/](https://www.belgium.be/en/work/coming_to_work_in_belgium/)

### **Bulgaria\*** (For non-EU/EEA citizens)

Family members of EU Blue Card holders and intra-company transferees have immediate access to the labour market once they are issued with a long-term residence permit. Eligible family members are the spouse and single dependent children.

<http://investbg.government.bg/en/pages/1-work-permits-147.html>

<http://investbg.government.bg/en/pages/2-eu-blue-card-residence-and-work-permit-148.html>

### **Croatia\*** (For non-EU/EEA citizens)

Eligible family members of EU Blue Card holders have immediate access to the labour market. Eligible family members are the spouse, common law partner and minor dependent (adopted) children.

[http://www.mup.hr/UserDocImages/engleska%20verzija/2014/Foreigners\\_Act\\_13.pdf](http://www.mup.hr/UserDocImages/engleska%20verzija/2014/Foreigners_Act_13.pdf) (see Articles 73 and 198.)

<http://www.mvep.hr/en/consular-information/stay-of-aliens/granting-stay-in-croatia/>

### **Cyprus\*** (For non-EU/EEA citizens\*)

The recognised family members (spouse and children under the age of 18 yr.) of intra company transferees have the right to employment and self-employment.

[http://www.moi.gov.cy/moi/crmd/crmd.nsf/0/3849e56d425da4efc2257d2c00371c45?OpenDocument&ExpandSection=3#\\_Section3](http://www.moi.gov.cy/moi/crmd/crmd.nsf/0/3849e56d425da4efc2257d2c00371c45?OpenDocument&ExpandSection=3#_Section3)

### **Czech Republic\*** (For non-EU/EEA citizens)

Eligible family members (spouse and dependent children) of an EU Blue Card holder are granted a long-term residence permit, with which they are allowed to access the labour market.

[https://portal.mpsv.cz/sz/zahr\\_zam/modka](https://portal.mpsv.cz/sz/zahr_zam/modka)

<http://www.mvcr.cz/mvcren/article/third-country-nationals-long-term-residence.aspx?q=Y2hudW09Ng%3d%3d>

<https://www.mvcr.cz/mvcren/article/third-country-nationals-long-term-residence.aspx?q=Y2hudW09Ng%3d%3d>

### **Denmark\*** (For non-EU/EEA citizens)

The family members of all holders of a residence and work permit are also eligible for residence permits, which include the right to work or study during the stay in Denmark. The family members of foreign diplomats are also permitted to work. Recognised family members are the spouse, registered or cohabiting partner and children under 18. In certain circumstances of dependence, older children and parents may also be recognized.

Denmark has opted out of the EU Blue Card and ICT Directives.

[https://www.nyidanmark.dk/en-us/coming\\_to\\_dk/familyreunification/family\\_reunification.htm](https://www.nyidanmark.dk/en-us/coming_to_dk/familyreunification/family_reunification.htm)

### **Estonia\*** (For non-EU/EEA citizens)

The spouse and dependent children of EU Blue Card holder and Intra-Corporate Transferees have access to the labour market once they have been granted a residence permit. They are exempt from the annual quota of work permits.

<https://www.politsei.ee/en/teenused/residence-permit/tahtajaline-elamisluba/tootamiseks/oluline-info-tootamiseks-elamisloa-taotlejale.dot#sininekaart>

<https://www.politsei.ee/en/teenused/working-in-estonia/>

<https://www.politsei.ee/en/teenused/residence-permit/tahtajaline-elamisluba/abikaasa-juurde/index.dot>

### **Finland\*** (For non-EU/EEA citizens)

The spouse, cohabiting partner, registered partner and unmarried children under the age of 18 have an unlimited right to work once the temporary residence permit has been obtained. This applies to family members of several types of permit holder, including EU Blue Card holders and intra-corporate transferees.

<https://migri.fi/en/right-to-work>

[www.migri.fi/moving\\_to\\_finland\\_to\\_be\\_with\\_a\\_family\\_member](http://www.migri.fi/moving_to_finland_to_be_with_a_family_member)

<http://www.finlex.fi/en/laki/kaannokset/2004/en20040301.pdf> Ref. section 79, sub-section 2 of the Aliens Act

### France\* (For non-EU/EEA citizens)

A new law on the Right of Foreigners of March 2016 became effective in November 2016, updating earlier legislation on the entry and stay of foreigners. Several categories of permits have been integrated into a new Multiannual Talent Passport (with several sub-categories including the EU Blue Card and intra company transfers to a company established in France) as well as a new seconded Intra-Corporate Transfer permit in line with the EU Directive. Eligible family members (spouse at least 18 years old and minor legitimate children (natural or adopted) are issued with a permit ‘talent passport family’ or ‘ICT permit family’ and are authorized to work. Married couples of same-sex and opposite-sex have the same rights in immigration procedures.

<https://www.service-public.fr/particuliers/vosdroits/N110> overview of all residence permits

<https://www.service-public.fr/particuliers/vosdroits/F16922> Multi-annual talent passport

<https://www.service-public.fr/particuliers/vosdroits/F33952> ICT

<https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000032166326&cidTexte=LEGITEXT000006070158>

<https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000032166427&cidTexte=LEGITEXT000006070158>

[www.permitsfoundation.com/news/france-same-sex-married-spouses-recognised-in-immigration-procedures/](http://www.permitsfoundation.com/news/france-same-sex-married-spouses-recognised-in-immigration-procedures/)

### Germany\* (For non-EU/EEA citizens)

The family members (including same sex registered partners) of all temporary or permanent resident permits holders have direct and unrestricted permission to work.

<http://www.make-it-in-germany.com/en/for-qualified-professionals/living/bringing-your-family-to-join-you-in-germany#c58222>

<http://www.make-it-in-germany.com/en/for-qualified-professionals/living/bringing-your-family-to-join-you-in-germany#spouses-joining-citizens-of-non-eu-countries>

<https://www.make-it-in-germany.com/en/living-in-germany/family-reunification/spouses-non-eu-countries/>

[http://www.gesetze-im-internet.de/englisch\\_aufenthg/englisch\\_aufenthg.html#p0619](http://www.gesetze-im-internet.de/englisch_aufenthg/englisch_aufenthg.html#p0619)

### Greece\* (For non-EU/EEA citizens)

Family members of third country nationals are entitled to access to employment and self-employment. During the first 12 months of residence, this is subject to terms and conditions determined by joint ministerial decision. Current provisions for family members of Blue Card and Intra Corporate Transfers need to be confirmed. Recognised family members are the spouse (older than 18 yr.) and minor children, including adopted children.

[http://www.mfa.gr/images/docs/ethnikes\\_theoriseis/codification\\_of\\_legislation\\_en.pdf](http://www.mfa.gr/images/docs/ethnikes_theoriseis/codification_of_legislation_en.pdf) (Art 59.b.)

### Hungary\* (For non-EU/EEA citizens)

Family members of holders of a residence permit for employment, including the EU Blue Card and intra-corporate transferees, who have been granted a residence permit, have the right to engage in employment or to pursue a professional activity. If they plan to enter into an employment relationship, this should be reported to the regional directorate of the Immigration and Asylum Office so that the single permit can be issued. Family members eligible to apply for family reunification are the spouse, minor age child (including adopted and foster children) under parental custody, dependent children and parents.

<http://www.bmbah.hu/index.php?lang=en>

[http://www.bmbah.hu/index.php?option=com\\_k2&view=item&layout=item&id=58&Itemid=812&lang=en#](http://www.bmbah.hu/index.php?option=com_k2&view=item&layout=item&id=58&Itemid=812&lang=en#)

[http://www.bmbah.hu/index.php?option=com\\_k2&view=item&layout=item&id=54&Itemid=808&lang=en#](http://www.bmbah.hu/index.php?option=com_k2&view=item&layout=item&id=54&Itemid=808&lang=en#)

### Ireland\* (For non-EU/EEA citizens)

As of March 2019, spouses and partners of critical skills employment permit (CSEP) holders have full access to the employment market. The Department of Justice and Equality will grant eligible spouses and de facto partners of CSEP holders permission to reside on a Stamp 1G, without the need to obtain a separate employment permit. A new pre-clearance policy will mean that these non-EEA family members apply for permission to reside prior to arrival. This policy change also applies to the partners and spouses of Researchers in the State on Hosting Agreements. Ireland has opted out of the EU Blue Card and ICT Directives.

<http://www.inis.gov.ie/en/INIS/Pages/revised-immigration-arrangements-for-the-spouses-and-de-facto-partners-of-critical-skills-employment-permit-holders>

<http://www.inis.gov.ie/en/INIS/Pages/de-facto-partner-of-a-critical-skills-employment-permit-holder-or-of-a-non-eea-researcher-on-a-hosting-agreement>

<http://www.inis.gov.ie/en/INIS/faq-spouse-partner-csep.pdf/Files/faq-spouse-partner-csep.pdf>

### **Italy\*** (For non-EU/EEA citizens)

If a foreign national has a residence permit for employment (incl Blue Card and Intra-Corporate Transfer), self-employment, asylum or religious reasons, valid for at least a year, the family members are granted a permit that allows them to study, or to be employed or self-employed without the need to convert to their own work permit. An employer notifies the Labour Office of the individual's start date. Eligible family members are the spouse, children under 18 and adult dependent children and dependent parents.

[http://poliziadistato.it/statics/40/0554\\_initaliainregola\\_english.pdf](http://poliziadistato.it/statics/40/0554_initaliainregola_english.pdf) (See page 14, section3.)

<https://ec.europa.eu/migrant-integration/index.cfm?action=furl.go&go=/librarydoc/legislative-decree-2571998-no-286-on-consolidated-act-of-provisions-concerning-immigration-and-the-condition-of-third-country-nationals> (legislative decree 286, 1998. See Art 30.2)

### **Latvia\*** (For non-EU/EEA citizens)

The spouse of an EU Blue Card holder is allowed to work as soon as he/she obtains a residence permit. Eligible family members are a spouse and minor children.

<http://www.pmlp.gov.lv/en/home/news/current-events/2017/08/15/an-informative-guide-on-the-process-of-drawing-up-work-permits-for-foreigners/>

<http://www.integration.lv/en/residence-in-latvia> (see section on Blue Card)

### **Lithuania\*** (For non-EU/EEA citizens)

The spouse, registered partner, children under the age of 18 and adult dependent children of EU Blue Card holders, Intra-Corporate Transfers and other foreign workers, who receive a temporary residence permit for family reunification, are exempt from the obligation to obtain a work permit.

<http://www.migracija.lt/index.php?-1603162752>

<https://www.ldb.lt/en/Information/Services/Placementofforeigners.aspx> (see exemptions)

<http://www.migracija.lt/index.php?-849742125>

### **Luxembourg\*** (For non-EU/EEA citizens)

Family members of a third country nationals with a residence permit (incl Blue Card and Intra-corporate Transfer) are allowed to access the labour market as wage earners or independent workers, but during the first year they are subject to a labour market test to check whether it is possible to hire a national or a European job seeker for the vacancy. If the family member has been in Luxembourg for more than a year, the employer informs the National Employment Agency of the vacancy and no labour market check is performed. Eligible family members are a spouse or partner in a civil partnership (over 18 years) and unmarried children under 18 and adult dependents.

<http://www.guichet.public.lu/entreprises/en/ressources-humaines/recrutement/ressortissant-pays-tiers/salarie-hautement-qualifie/index.html>

<http://www.guichet.public.lu/entreprises/en/ressources-humaines/recrutement/ressortissant-pays-tiers/exercice-activite-accessoire-rp-membre-fam-rp/index.html>

<https://guichet.public.lu/en/citoyens/immigration/plus-3-mois/ressortissant-tiers/membre-famille/exercice-activite-accessoire.html>

<http://www.luxembourg.public.lu/en/publications/j/olai-bienvenue-tiers/index.html>

<http://www.legilux.public.lu/leg/a/archives/2008/0138/2008A2024A.html>

### **Malta\*** (For non-EU/EEA citizens)

Spouse and minor children of an EU Blue Card holder are granted a residence permit within six months of application if requirements are met. No time limit is applied with respect to access to the labour market.

<https://integration.gov.mt/en/ResidenceAndVisas/Pages/EU-Blue-Card.aspx>

<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11773&l=1> (Article 14(3) and 14(5))

### **Netherlands\*** (For non-EU/EEA citizens)

Family members of Highly Skilled Migrants, Scientific Researchers, Intra Company Transferees or EU Blue Card holders are free to work without restrictions. Recognised family members are spouse, partner - including same sex partner - in a registered or sustainable relationship and children under 18 yr. Partners of staff employed by a number of international organisations are also permitted to work under the relevant 'seat agreements'.

<https://ind.nl/en/family/Pages/Spouse-or-partner.aspx>

<https://ind.nl/en/Forms/3085.pdf> (Booklet 'Enabling a Family Member to come to the Netherlands'.)

<https://ind.nl/en/Forms/3089.pdf> (Booklet 'Enabling an employee to come to the Netherlands')

[https://ind.nl/en/work/working\\_in\\_the\\_Netherlands](https://ind.nl/en/work/working_in_the_Netherlands)

## Norway

The family members (spouse, partner and children under 18 yr.) of European Economic Area (EEA) nationals, and also of third countries nationals who hold a residence permit for skilled workers and have been granted a family immigration permit, are free to work, without any limitations to a specific employer or type of work.

<http://www.udi.no/en/received-an-answer/family-immigration/have-been-granted-a-family-immigration-permit/>

<http://www.regjeringen.no/en/dep/asd/topics/labour-market-policy/labour-immigration.html?id=976>

<http://www.udi.no/en/want-to-apply/work-immigration/skilled-workers/#Skilled-worker-with-a-Norwegian-employer-1>

<http://www.regjeringen.no/en/doc/laws/acts/immigration-act.html?id=585772> Immigration Act: See chapter 6 and 7 (Section 60).

## Poland\* (For non-EU/EEA citizens)

Family members of EU Blue Card holder are granted a special residence permit for a maximum of two years, and it can be extended. They have immediate access to employment and are exempt from the need to obtain a work permit. Eligible family members are a spouse, if the marriage is recognised under Polish law and minor children.

[https://ec.europa.eu/immigration/country-specific-information/poland/family-member\\_en](https://ec.europa.eu/immigration/country-specific-information/poland/family-member_en)

<http://udsc.gov.pl/en/cudzoziemcy/obywatele-panstw-trzecich/> The Office for Foreigners

<https://udsc.gov.pl/en/cudzoziemcy/obywatele-panstw-trzecich/chce-pracowac-w-polsce/> Incl. categories that do not require a work permit.

## Portugal\* (For non-EU/EEA citizens)

Family members of an EU Blue Card holder who have been granted a residence permit are permitted to work and be self-employed. Eligible family members are a spouse, minor and dependent children.

<https://imigrante.sef.pt/en/>

<https://imigrante.sef.pt/en/solicitar/residir/art121-b-121-k/>

<https://imigrante.sef.pt/en/legislacao/>

## Slovakia\* (For non-EU/EEA citizens)

Family members of an EU Blue Card holder are entitled to apply for temporary residence for the purpose of family reunification. Eligible family members are a spouse, (at least 18 years old) dependent children and dependent parents. A family member with a temporary residence for the purpose of family reunification can work or undertake a business. However, he/she needs to obtain a work permit for the first 12 months after being granted temporary residence.

[https://ec.europa.eu/immigration/country-specific-information/slovakia/family-member\\_en](https://ec.europa.eu/immigration/country-specific-information/slovakia/family-member_en)

[https://mzv.sk/web/en/consular\\_info/residence\\_of\\_foreigners\\_in\\_territory\\_of\\_slovakia](https://mzv.sk/web/en/consular_info/residence_of_foreigners_in_territory_of_slovakia)

[https://www.mzv.sk/documents/30297/1912918/ACT+404\\_2011+on+Residence+of+Aliens+and+Amendment+and+Supplementation+of+Certain+Acts/fdc34de5-ff57-4e0c-8cbe-f26d1d06d99a](https://www.mzv.sk/documents/30297/1912918/ACT+404_2011+on+Residence+of+Aliens+and+Amendment+and+Supplementation+of+Certain+Acts/fdc34de5-ff57-4e0c-8cbe-f26d1d06d99a) (art 27.6)

## Slovenia\* (For non-EU/EEA citizens)

Family members of a Blue Card holder are entitled to a temporary residence permit. They have the right to take up self-employment after a year of legal residence. The one-year condition does not apply if they are entered in the Business Register as an independent professional. By contrast, they may only take up employment when there are no suitable persons for the job in question in the register of unemployed persons. In that case, the Employment Service shall send a written notice to the employer, within five working days of receipt of a notice of vacancy.

<https://infotujci.si/en/third-country-nationals/employment/>

[http://www.mzz.gov.si/en/entry\\_and\\_residence/residence\\_permit/](http://www.mzz.gov.si/en/entry_and_residence/residence_permit/)

[http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti\\_pdf/za\\_poslovanje/ZZSDT\\_ang.pdf](http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti_pdf/za_poslovanje/ZZSDT_ang.pdf) (Articles 32-34)

## Spain\* (For non-EU/EEA citizens)

Under Article 19 of Organic Law 2/2009 and Articles 52-61 of Royal Decree 557/2011, in force since June 2011, accompanying family members (spouse, domestic partner or children of working age) receive a residence permit that allows them to work or be self-employed in any occupation or industry without any other administrative procedure. This includes family members of the EU Blue Card and Intra-Corporate Transfer permit holders.

[http://extranjeros.empleo.gob.es/es/InformacionInteres/FolletosInformativos/archivos/triptico\\_reagrupacion\\_familiar\\_eng.pdf](http://extranjeros.empleo.gob.es/es/InformacionInteres/FolletosInformativos/archivos/triptico_reagrupacion_familiar_eng.pdf)

<http://extranjeros.empleo.gob.es/es/InformacionInteres/InformacionProcedimientos/Ciudadanoscomunitarios/hoja013/index.html>

[www.noticias.iuridicas.com/base\\_datos/Admin/rd557-2011.t4.html#c2](http://www.noticias.iuridicas.com/base_datos/Admin/rd557-2011.t4.html#c2) (Article 58.4)

## Sweden\* (For non-EU/EEA citizens)

The family members (spouse, de facto or registered partner, and children under the age of 21 yr.) of a foreign national holding a work permit will be granted a residence permit for the same period. If the employee's work permit is for at least 6 months, the family members may also be granted a work permit. Family members of Blue Card holders are also granted a residence permit and work permit with no time limit in respect of access to the labour market. The eligible family members are spouse, cohabiting partners and unmarried children under 18.

[www.migrationsverket.se/English/Private-individuals/Working-in-Sweden/Employed/Special-rules-for-certain-occupations-and-citizens-of-certain-countries/EU-Blue-Card.html](http://www.migrationsverket.se/English/Private-individuals/Working-in-Sweden/Employed/Special-rules-for-certain-occupations-and-citizens-of-certain-countries/EU-Blue-Card.html)

<https://www.migrationsverket.se/English/Private-individuals/Working-in-Sweden/Permits-for-family-members.html>

## Switzerland

### EU citizens:

Citizens of EU-25 Member States, plus EFTA countries Iceland, Liechtenstein and Norway, have freedom of movement for employment. Nationals from Bulgaria and Romania are no longer subject to quotas as of June 2019. From January 2017, Croatian citizens are still subject to transition arrangements.

[https://www.bfm.admin.ch/bfm/en/home/themen/fza\\_schweiz-eu-efta/eu-efta\\_buerger\\_schweiz.html](https://www.bfm.admin.ch/bfm/en/home/themen/fza_schweiz-eu-efta/eu-efta_buerger_schweiz.html)

### Non-EU/EEA citizens:

The accompanying spouse, partner and children under 18 years of a person with a permanent residence permit or a residence permit for a year or more are permitted to work on a salaried or self-employed basis.

[www.admin.ch/ch/e/rs/142\\_20/a46.html](http://www.admin.ch/ch/e/rs/142_20/a46.html)

Accompanying family members (spouses and children up to 25 years of age) of staff of permanent missions and international organisations (holders of "B", "C", "D", "E", "I", "L" and "P" cards issued by the Federal Department of Foreign Affairs) have access to the Swiss labour market. They receive a Ci permit.

[https://www.sem.admin.ch/sem/en/home/themen/aufenthalt/nicht\\_eu\\_efta/ausweis\\_ci\\_aufenthalt\\_erwerb.html](https://www.sem.admin.ch/sem/en/home/themen/aufenthalt/nicht_eu_efta/ausweis_ci_aufenthalt_erwerb.html)

## United Kingdom\* (For non-EU/EEA citizens)

The UK Points Based System currently admits Tier 1 (Entrepreneurs, Graduate Entrepreneurs, Exceptional Talent and Investors), Tier 2 (skilled staff with a job offer, including intra-company transferees) and Tier 5 (temporary workers). The spouse, civil partner, unmarried or same-sex partner and children under 18 years of a work permit holder are allowed to work. The UK has opted out of the EU Blue Card and ICT Directives. With the UK plans to leave the EU, the status of EU citizens is under review. Permits Foundation will continue to monitor developments and call for the continuation of the rights of family members.

<https://www.gov.uk/browse/visas-immigration/work-visas>

<https://www.gov.uk/government/publications/guidance-for-dependants-of-uk-visa-applicants-tiers-1-2-4-5>



## 2. Asia and Pacific

### Australia

Spouses, de facto partners and dependants of temporary skilled workers sponsored by a business (subclass 457 or 482 visa) can work and study while living in Australia.

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/temporary-skill-shortage-482>

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/temporary-skill-shortage-482/subsequent-entrant>

### Hong Kong Special Administrative Region of China

Spouses, de facto partners (opposite and same-sex) and unmarried dependant children under the age of 18 of professional staff (including those under the Quality Migrant Admission Scheme) may work without prior permission of the Immigration Department. See for further information 'Guidebook for Entry for Residence as Dependents in Hong Kong' section VI-16.

<http://www.immd.gov.hk/pdfforms/ID%28E%29998.pdf>

[http://www.immd.gov.hk/eng/services/visas/residence\\_as\\_dependant.html#lastTab](http://www.immd.gov.hk/eng/services/visas/residence_as_dependant.html#lastTab) (see under 'Condition of Stay)

[https://www.immd.gov.hk/eng/services/visas/residence\\_as\\_dependant.html#firstTab](https://www.immd.gov.hk/eng/services/visas/residence_as_dependant.html#firstTab) (see under 'Eligibility Criteria)

[www.info.gov.hk/gia/general/200602/23/P200602230169\\_print.htm](http://www.info.gov.hk/gia/general/200602/23/P200602230169_print.htm)

### India

Since February 2011, the spouse of an employee on intra-company transfer may apply for conversion of the 'X' (entry) visa into an Employment Visa in India, subject to the normal conditions for an Employment Visa. This includes a minimum salary \$25,000 a year, although this does not apply to ethnic cooks, language teachers (other than English language teachers) and translators and staff working for an Embassy/High Commission in India. Conversion requires approval of the Ministry of Home Affairs (Foreigners Division) after a report from the FRRO/ FRO. This replaces the previous requirement to return to the home country to apply for an E visa. Permits Foundation, which lobbied for local conversion as a first step, has proposed a new visa category for intra-company transferees who are assigned to work in India for up to three years (renewable for an additional two years), whereby the accompanying spouse would be allowed to take all types of legal employment and self-employment.

<http://boi.gov.in/content/information-foreigners-possessing-entry-x-visa-2>

[https://mha.gov.in/PDF\\_Other/AnnexIII\\_01022018.pdf](https://mha.gov.in/PDF_Other/AnnexIII_01022018.pdf) (see page VI Employment via (page 9, item 35)

[https://mha.gov.in/PDF\\_Other/AnnexI\\_01022018.pdf](https://mha.gov.in/PDF_Other/AnnexI_01022018.pdf)

<https://www.permitsfoundation.com/news/permits-foundation-holds-positive-talks-in-india-about-work-authorisation-for-spouses-of-intra-corporate-transferees/?type=news>

### Japan

Under regulations implemented in May 2012 for highly skilled professionals, spouses are permitted to work in skilled positions (such as "instructor", "engineer", "specialist in humanities/international services"), for a specified employer. The normal immigration requirements (e.g. education or professional background) are waived and there is no limit on the number of hours per week. Spouses of other workers still need permission from the Immigration Bureau for 'extra-status activities' after getting an offer of employment for part-time work up to a maximum of 28 hours per week. Permits Foundation, which lobbied for improvement, will continue to advocate an "open" permission to work that allows both employment and self-employment.

[www.immi-moj.go.jp/newimmiact\\_3/en/preferential/index.html](http://www.immi-moj.go.jp/newimmiact_3/en/preferential/index.html)

[www.immi-moj.go.jp/english/tetuduki/zairyuu/shikakugai.html](http://www.immi-moj.go.jp/english/tetuduki/zairyuu/shikakugai.html)

### Malaysia

Highly qualified expatriates working in Malaysia for more than three years may apply for a Residence Pass-Talent, which allows them to continue working for up to 10 years. The spouse of a Residence Pass-Talent holder can seek employment without the need to apply for an Employment Pass.

For spouses of an Employment Pass holder, a previous provision where spouses were permitted to take paid employment on their Dependant Pass after obtaining an endorsement in their passport by the Immigration Department has been replaced by the requirement to apply for an Employment Pass (EP). The EP is subject to a contract of employment (up to 60 months) and the prior approval of the Expatriate Committee (EC) or relevant authorities before issuance by the Immigration Department.

<https://esd.imi.gov.my/portal/expatriates/myxpati/key-services/employment-pass/dependant-pass/>

<https://esd.imi.gov.my/portal/expatriates/myxpati/key-services/employment-pass/>

<https://www.talentcorp.com.my/initiatives/residence-pass-talent>



## New Zealand

A partner of a person holding a Work Visa allowing a stay in New Zealand of more than six months can apply for a Partner of a Worker Work Visa for the same period as their partner. This allows them to work.

<https://www.immigration.govt.nz/new-zealand-visas/options/join-family>

<https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/about-visa/special-work-visa-for-partners-of-work-visa-holders>

## Singapore

Spouses and children of Employment Pass holders are eligible for a Dependant Pass. Should he or she wish to take up employment, the employing company can apply online to the Ministry of Manpower for a Letter of Consent. The online application requires details of educational qualifications, job content and salary and is normally processed within three weeks. Employment may not begin until the employer has received the Letter of Consent, which is generally granted. For selected professions, include healthcare professionals, lawyers and regional representatives, additional supporting documents are required.

<http://www.mom.gov.sg/passes-and-permits/letter-of-consent>

<http://www.mom.gov.sg/passes-and-permits>

## 3. Latin America

### Argentina

Spouses, registered partners (opposite and same-sex) and children, including adult dependent children, of both permanent and temporary residents are granted a residence permit that allows them to work freely, including being self-employed. Articles 22, 23 (n) and 51 of the Migration Law 25871 refer.

[http://www.migraciones.gov.ar/pdf\\_varios/campana\\_grafica/pdf/Libro\\_Ley\\_25.871.pdf](http://www.migraciones.gov.ar/pdf_varios/campana_grafica/pdf/Libro_Ley_25.871.pdf)

<http://www.migraciones.gov.ar/accesible/indexA.php?residencias>

<https://www.balglobal.com/bal-news/unmarried-partners-recognized-for-immigration-purposes/>

### Brazil

After our extensive lobby, we were pleased to see that under Decree No. 8.757, 10 May 2016 regulating the legal status of foreigners, the dependants (over 16 years of age) of temporary work visa holders are automatically granted a visa that allows them to work or be self-employed.

[http://www.planalto.gov.br/CCIVIL\\_03/ Ato2015-2018/2016/Decreto/D8757.htm](http://www.planalto.gov.br/CCIVIL_03/ Ato2015-2018/2016/Decreto/D8757.htm)

### Mexico

According to Article 52.VII of the Migration Law (Ley de Migración), 25 May 2011, recognised family members (spouse, common law partner, unmarried children and parents) of Temporary Residents also receive the Temporary Resident status for the same duration as the principal holder (up to 4 years) and will be granted permission to work if they get a job offer.

[http://dof.gob.mx/nota\\_detalle.php?codigo=5190774&fecha=25/05/2011](http://dof.gob.mx/nota_detalle.php?codigo=5190774&fecha=25/05/2011) (Migration law)

<http://www.inm.gob.mx/>

[http://www.inm.gob.mx/static/marco\\_juridico/pdf/Ley\\_de\\_Migracion\\_y\\_Reglamento.pdf](http://www.inm.gob.mx/static/marco_juridico/pdf/Ley_de_Migracion_y_Reglamento.pdf) (explanatory slide show in Spanish).

### Peru

Following a decree of March 2017, family members of new residence visas are authorised to work for any employer, or be self-employed, while remaining on their dependent's visa. The residence visa categories cover a wide range of foreign workers including intra-corporate transferees and others listed in the decree.

<http://busquedas.elperuano.com.pe/normaslegales/decreto-legislativo-de-migraciones-decreto-legislativo-n-1350-1471551-2/> (Articles 29.2.i, 29.2.r and Article 38).

## 4. North America

### Canada

Spouses or common-law partners of skilled foreign workers (defined as O, A or B in the National Occupational Classification) authorised to work for at least 6 months may apply for a work permit that is 'open.' It allows them to accept any job without a labour market opinion.

[www.cic.gc.ca/english/helpcentre/answer.asp?q=199&t=17](http://www.cic.gc.ca/english/helpcentre/answer.asp?q=199&t=17)

[www.cic.gc.ca/english/work/apply-who-permit-result.asp?q1\\_options=1i&q2\\_options=2d](http://www.cic.gc.ca/english/work/apply-who-permit-result.asp?q1_options=1i&q2_options=2d)

### United States

The spouse, including same-sex spouse, of the following visa holders may apply to the US Citizen and Immigration Services for an Employment Authorization Document (EAD): L1 (inter-company transfers with minimum 12 months pre-employment), E1/E2 (treaty traders and investors) and E3 (Australian nationals in a specialty occupation). The spouses of J1 (exchange visitors) may also apply provided their income is not needed to support the J-1 principal alien.

The EAD should take up to three months to obtain (though delays have been reported); after obtaining the spouse is free to take employment.

[www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=73ddd59cb7a5d010VgnVCM10000048f3d6a1RCD&vgnnextchannel=db029c7755cb9010VgnVCM10000045f3d6a1RCRD](http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=73ddd59cb7a5d010VgnVCM10000048f3d6a1RCD&vgnnextchannel=db029c7755cb9010VgnVCM10000045f3d6a1RCRD)

The EAD is currently available to certain H-4 dependent spouses of H-1B nonimmigrants. However, an announcement to rescind work authorisation for this group of H4 spouses is expected from the US authorities in 2019. <https://www.uscis.gov/working-united-states/temporary-workers/employment-authorization-certain-h-4-dependent-spouses>

Dependents, including same-sex domestic partners, of diplomats and employees working for UN and NATO (A, G and NATO visas) may also be eligible and should contact their organisation regarding the application procedure.

<https://travel.state.gov/content/travel/en/us-visas/other-visa-categories/visa-employees-nato/visas-for-foreign-officials.html>

<https://www.uscis.gov/i-566>

For further information, links and news, go to:

[www.PermitsFoundation.com](http://www.PermitsFoundation.com)

We welcome updates and corrections of this information.

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