

Mobility: Immigration alert

August 2022



Spain

New Teleworking Visa and Residence Permit for remote workers

Executive summary

The Spanish government announced the implementation of a new visa and residence permit for remote workers who are third-country nationals (i.e., nationals of countries that are not members of the European Union). The International Teleworking Visa ("the Visa") will allow eligible applicants to reside and work in Spain for up to one year, whereas the International Teleworking Residence Permit ("the Permit") will confer work and residence rights for up to two years. The Spanish government is expected to begin issuing the new Visa and Permit by December 2022.

Key issues

The International Teleworking Visa and Residence Permit will be available to third-country nationals who are self-employed or employed by companies registered outside Spain and are seeking to provide professional services to non-Spanish companies from within Spain by using information and communication technologies (e.g., laptops, phones). The Residence Permit will also be available to third-country nationals who already have authorization to work and reside in Spain and wish to change their immigration status to work remotely from within Spain. International Teleworking Visa and Permit holders will be prohibited from receiving remuneration from Spanish sources and performing work that generate revenue for Spanish entities.

Companies that wish to sponsor, and individuals who wish to apply for, a Visa or Residence Permit must comply with the following requirements:

- ▶ Applicants must be highly qualified professionals who received a graduate or postgraduate degree from a

- ▶ university, vocational training institute or business school, or have at least three years of professional experience
- ▶ Non-Spanish companies with which applicants have a "labor" (i.e., employment) or "professional" (i.e., self-employment) relationship must provide proof that they have operated as lawful businesses in good standing for at least one year and that the applicants can perform their activities (e.g., deliver services) remotely from within Spain
- ▶ Both employed and self-employed applicants must prove that they have been employed continuously (in the case of employed applicants), or maintained business relationships (in the case of self-employed applicants), with said companies for at least three months prior to filing their Visa/Permit applications

Impact on clients

Spain joins a growing list of countries that have introduced visas and/or permits for remote workers following the outbreak of the COVID-19 pandemic. Employers that allow teleworking may consider Spain as a potential destination for their employees who are seeking to work remotely.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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Juan Pablo Riesgo Figuerola-Ferretti

Partner - Global Immigration, People Advisory Services
Tel: +34620581690
Email: juan.pablo.riesgo@es.ey.com

Josefina Botero Escobar

Senior Manager - Global Immigration, People Advisory Services
Tel: +34650659896
Email: josefina.botero.escobar@es.ey.com

Consuelo Fernandez Algora

Manager - Global Immigration, People Advisory Services
Tel: +34650099470
Email: consuelo.fernandez.algora@es.ey.com

Clarisa Egaña Leonardi

Manager - Global Immigration, People Advisory Services
Tel: +34628502394
Email: clarisa.egana.leonardi@es.ey.com