

# Mobility: Immigration alert

May 2023



## Spain

### Major changes in EU Blue Card regulations

#### Executive summary

Effective 10 May 2023, Spain implemented changes to its laws governing the issuance of EU Blue Cards.

#### Key developments

On 8 May 2023, the Spanish authorities approved the following amendments which went into effect on 10 May 2023, in line with the [revised EU Blue Card Directive](#):

- ▶ Blue Cards are now issued with an initial validity of three years (up from one year previously).
- ▶ Employers are no longer required to conduct a labor market test as part of the Blue Card application process. Previously, companies that had 500 or fewer employees or annual revenues of EUR 200 million or less were required to conduct a labor market test prior to sponsoring applicants to obtain Blue Cards.
- ▶ Individuals applying for Blue Cards must receive a salary that is 1 to 1.6 times the average gross annual salary. However, in some cases, a lower salary threshold may apply. Additional details are expected in the coming weeks. Previously, applicants were required to earn at least 1.5 times the average gross annual salary.
- ▶ Applicants must possess educational qualifications equivalent to Level 2 of the Spanish Qualifications Framework for Higher Education (i.e., a bachelor's degree upon completing a program of at least four years) or above. Alternatively, they must have at least five years of relevant experience in their sector or profession (or three years in the case of IT professionals). Previously, applicants were only required

to have a bachelor's degree upon completing a program of at least three years, or above.

- ▶ Applicants who hold a higher vocational training certificate are now eligible to apply for a Blue Card. Previously, these individuals were not eligible.
- ▶ Holders of Blue Cards issued in other EU Member States may enter Spain for up to 90 days in any 180-day period for professional purposes (i.e., to conduct business or work) without obtaining a Spanish visa or work authorization document.
- ▶ Spanish Blue Card holders who become residents of another EU Member State and obtain a Blue Card in that Member State will have their Spanish Blue Cards canceled. While this was occurring in practice, the new amendments make this a formal rule.

#### Impact on employers

The new laws benefit small and medium-sized enterprises and vocational training graduates. Employers may consider the new requirements in light of their hiring or recruitment policies to ensure compliance.

#### 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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