

Mobility: Immigration alert

July 2023



Spain

Clarifications regarding foreign students' ability to work in Spain

Executive summary

The Spanish immigration authorities recently released additional details regarding Royal Decree 629/2022, which clarify the conditions under which study visa holders may undertake work in Spain.

Background

In July 2022, the Spanish government passed Royal Decree 629/2022, which allowed study visa holders who are nationals of third countries (i.e., countries outside the EU and EEA) to undertake work in Spain without a separate Spanish work authorization document.

Key developments

On 2 June 2023, the immigration authorities released the following clarifications:

- ▶ Study visa holders are eligible to undertake employment with a Spanish company or be self-employed without obtaining a separate Spanish work authorization document, provided they pursue specific courses (e.g., higher education, vocational training) and meet all course requirements.
- ▶ Students who were issued initial study visas on or after 26 July 2022 are automatically eligible to work in Spain without a separate work authorization document. Those who were issued initial study visas before 26 July 2022 and seek to renew their visas are not automatically authorized to work in Spain. This latter group must apply for a separate work authorization document prior to commencing work.

- ▶ Study visa holders who are automatically eligible to work in Spain without a separate work authorization document can work for up to 30 hours per week in any field (including fields not related to their subject of study). Their authorization to work in Spain expires once their study visa expires. Those who seek to continue working or residing in Spain after completing their studies must convert to another suitable immigration status.

Impact on employers

These changes are expected to benefit Spanish employers by providing them access to a wider pool of foreign talent.

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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