



GMS Flash Alert

Immigration Edition

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Finland - New Residence Permit Categories Introduced; Changes in Current Permit Processes

During the first half of 2018, Finland introduced new residence permit types for intra-corporate transfers, start-up entrepreneurs, and seasonal workers to facilitate the residence permit process for these groups.¹ Furthermore, starting on September 1, 2018, the residence permit processes for researchers and students have undergone changes.²

WHY THIS MATTERS

Global mobility professionals, immigration counsel, and cross-border employees should be aware of the changes around the rules and processes related to Finland's residence permit types. It is important to identify the most suitable residence permit category for the employee in order to foster smooth processing of and a positive decisions on the residence permit application.

Intra-Corporate Transfers (ICT and Mobile ICT)

Since January 1, 2018, it has been possible to apply for a residence permit based on an intra-corporate transfer. The new Finnish law enabling the new permit type is based on European Union [Directive 2014/66/EU](#) on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer. The permit is suitable for applicants who are transferred internally to Finland within a company or a group of companies to work either as a manager, specialist, or trainee. The internal transfer may last three years at the most, if the applicant is a manager or specialist, and one year at the most, if the applicant is a trainee employee. The Mobile ICT is intended for applicants who have been issued a residence permit on the basis of an intra-corporate transfer from another EU country.

Start-up Entrepreneurs

From April 1, 2018, it is possible to apply for a residence permit for an entrepreneur based on so-called “start-up entrepreneurship.” The process for the start-up permit is two-staged. In the first stage, an Eligibility Statement must be applied for from [Business Finland](#), which assesses whether the start-up company’s business model has qualifications for rapid international growth. In the second stage, the applicant applies for a residence permit from the [Finnish Immigration Service](#). A positive Eligibility Statement from Business Finland (it can be no more than two months old) – among other criteria – is required.

Seasonal Workers

Starting from 2018, persons who arrive in Finland for seasonal work in the fields of agriculture and tourism must get either a residence permit for seasonal work, a certificate for seasonal work, or a seasonal work visa. The new Finnish law enabling the new permit type is based on the European Union [Directive 2014/36/EU](#) on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers. Jobs in forestry, crop production, or at festivals are examples of seasonal work that require a residence permit. If the job lasts three to nine months, a residence permit for seasonal work is required, if the criteria set for seasonal work are met.

Researchers and Students

Starting from September 1, 2018, researchers and students can be issued residence permits with a longer duration – the first permit can be issued for a maximum of two years instead of one. Starting from September, the residence permit for researchers can also be granted for persons conducting research with a grant. A researcher or degree student that has been granted a residence permit in another EU member state can enter Finland and perform research or study with an approved notification to the authorities, instead of applying for a residence permit for Finland. After completing the research or studies, the person can be granted a residence permit for the purpose of undertaking a job search or starting a company.

The new Finnish law and the changes in the Aliens Act are based on the European Union [Directive 2016/801/EU](#) on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes, or educational projects and au pairing.

KPMG NOTE

In the case of ICT and ICT Mobile, the employee may have the right to start working before the residence permit is issued. Please confirm this with your immigration counsel case by case.

For the new residence permit categories, the expected processing time by the Finnish Immigration Service is one to three months.

FOOTNOTES:

1 For additional information in English, see the website of the Finnish Immigration Service:

- on the intra-corporate transfer: <https://migri.fi/en/intra-corporate-transfer-mobile-ict->
- on the start-up entrepreneur: <https://migri.fi/en/start-up-entrepreneur>
- on seasonal work: <https://migri.fi/en/seasonal-work-permit>, and
- on research and studies: https://migri.fi/en/article/-/asset_publisher/1-9-opiskelijoiden-ja-tutkijoiden-oleskelulupien-kestoon-muutoksia.

For Finland's law on the intra-corporate transfer "Laki kolmansien maiden kansalaisten maahantulon ja oleskelun edellytyksistä yrityksen sisäisen siirron yhteydessä" (908/2017), see: <http://www.finlex.fi/fi/laki/ajantasa/2017/20170908>.

For Finland's law on the start-up entrepreneur's permit "Ulkomaalaislaki" (Aliens Act), see section 47h (121/2018): <http://www.finlex.fi/fi/laki/ajantasa/2004/20040301>.

For Finland's law on seasonal work "Laki kolmansien maiden kansalaisten maahantulon ja oleskelun edellytyksistä kausityöntekijöinä työskentelyä varten" (907/2017), see <http://www.finlex.fi/fi/laki/ajantasa/2017/20170908>.

For Finland's law on research, study, internship, and volunteering "Laki kolmansien maiden kansalaisten maahantulon ja oleskelun edellytyksistä tutkimuksen, opiskelun, työharjoittelun ja vapaaehtoistoiminnan perusteella" (719/2018), see <https://www.finlex.fi/fi/laki/smur/2018/20180719>.

2 Ibid.

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Global Immigration Expert ("ImmiExpert") is a robust technology tool that helps with relocating employees around the globe and growing businesses internationally. The tool assesses your immigration requirements 24/7. It takes into account the individual circumstances of an employee and in just a few clicks summarizes the preliminary immigration requirements.

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Contact us

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The information contained in this newsletter was submitted by the KPMG International member firm in Finland.

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