



GMS Flash Alert

Immigration Edition

2020-202 | April 27, 2020

Spain – COVID-19: State of Alarm Extended, Restrictions on Non-Essential Travel to EU

This GMS *Flash Alert* provides an update on the current “State of Alarm” in Spain as well as restrictions on non-essential travel to the European Union (EU), both steps taken in Spain in order to slow the spread of COVID-19¹.

For your convenience, we have linked here the original reports in GMS *Flash Alert* ([2020-114](#) (25 March 2020) and [2020-141](#) (1 April 2020)) regarding the effects of the State of Alarm on immigration procedures (borders, foreign offices, and services) in Spain as well as the temporary restrictions on non-essential travel.

WHY THIS MATTERS

The extension of the State of Alarm and the associated travel restrictions will continue to impact on employers and their globally-mobile employees between Spain and countries around the world.

Assignments to Spain and hiring new personnel from abroad will be significantly delayed due to ongoing travel restrictions and border crossing limitations, as well as the limited access to immigration services due to the temporary closure of offices and suspension of appointments.

Awareness of developments, which are unfolding rapidly, is vital to help minimise disruptions to operations and to manage associated risks and costs. Until the government decides it is safe to rescind or roll-back current restrictions, extensive remote working is a “best practice” for globally-mobile employees (unless they are “essential workers”), to the extent possible, and is a way for employers to foster the safety of their employees and help ensure business continuity.

Extension of State of Alarm

The State of Alarm in Spain has been extended, for a third time, **until 10 May at 00:00** due to "... the decreasing trend in the notification of new daily cases of contagion, hospitalised patients, and deaths continue and progressively lead to the control of the epidemic."²

Extension to Impact on Immigration Procedures

The third additional provision in Royal Decree 463/2020³ established the suspension of administrative deadlines, interrupting the deadlines set for processing procedures by public sector entities. The re-institution of the usual deadlines will take place once the Royal Decree is rescinded or, if applicable, its measures "sunset" and are no longer valid.

The preventive measure to cease attending to the public in person at all the foreign offices that are part of the Functional Area of Work and Immigration⁴ has also been extended in line with the State of Alarm extension. This includes, but is not limited to, police offices for the issuance of National Identity Cards, Passports, EU Certificates and Foreigners' Identity Cards.

The government decreed the re-establishment of land border controls (including Schengen internal border controls). This measure came into force at 00:00 (CEST, GMT +1) Monday (16 March 2020) and will be also be subject to the extension of the State of Alarm.

Specifically, only Spanish citizens, persons resident in Spain, cross-border workers, and those who provide documentary proof of circumstances beyond their control or a situation of need will be allowed to enter Spain's national territory by land.

Extension of Restrictions on Non-Essential Travel to EU

Since the current travel restrictions⁵ have proven to be helpful in slowing the spread of COVID-19, the European Commission invited all Schengen member states and Schengen associated states on 8 April 2020, to extend the temporary restriction on non-essential travel to the European Union (EU) until 15 May⁶. The European Commission explicitly pointed out that these measures can only be successful if they are implemented jointly by all member states. This is the only way to protect external borders to the fullest extent possible.

As a result, the original Order has been extended **until 15 May at 00:00**, subject to a possible further extension⁷.

See below for a reminder of who is affected.

Who Is Affected?

Access to Spain will only be granted to Spanish citizens and Spanish residents along with those who fall into one of the following categories:

- (a) Residents of the European Union or Schengen associated states, who are travelling directly to their place of residence.
- (b) Holders of a long-stay visa issued by a member state or Schengen associated state who are travelling to this same state.
- (c) Cross-border workers.

(d) Health-care or elderly-care professionals going to work.

(e) Personnel engaged in the transport of goods, in the course of their work, and flight crews required to carry out commercial air transport activities.

(f) Diplomatic and consular staff, staff of international and military organisations, and members of humanitarian organisations in the exercise of their duties.

(g) Persons travelling for imperative family reasons duly accredited.

(h) Persons who provide documentary evidence of *force majeure* or distress, or whose entry is permitted on humanitarian grounds.

KPMG NOTE

Employers and professional service providers should take note of the above-mentioned closures, service interruptions, and process and policy changes in light of the COVID-19 crisis. It is possible this new situation may be temporary, but in the meantime, employers and service providers will need to adjust their expectations and operate within the restrictions of this “new normal.” Any questions or concerns should be directed to your qualified professional adviser or a member of the GMS/People Services team with the KPMG International member firm in Spain.

FOOTNOTES:

1 For information, in Spanish, on measures taken and policies implemented to fight COVID-19 in Spain, please visit the website “Enfermedad por nuevo coronavirus, COVID-19”:

<https://www.mscbs.gob.es/profesionales/saludPublica/ccayes/alertasActual/nCov-China/home.htm> .

2 For the original post from Spain’s Congress, in Spanish, regarding the third extension to the State of Alarm (*El Pleno autoriza la tercera prórroga del estado de alarma por el COVID-19 y convalida el real decreto-ley de medidas sobre el empleo agrario*) please visit:

http://www.congreso.es/portal/page/portal/Congreso/Congreso/SalaPrensa/NotPre?_piref73_7706063_73_1337373_1337373.next_page=/wc/detalleNotaSalaPrensa?idNotaSalaPrensa=35709&mostrarvolver=N .

3 For the original Royal Decree (*Real Decreto 463/2020, de 14 de marzo, por el que se declara el estado de alarma para la gestión de la situación de crisis sanitaria ocasionada por el COVID-19*), in Spanish, please visit:

https://www.boe.es/diario_boe/txt.php?id=BOE-A-2020-3692 .

4 For more information on this and other activities tied to the outbreak of COVID-19, please visit the communications office webpage of the *Ministerio de Trabajo, Migraciones y Seguridad Social*:

<http://prensa.mitramiss.gob.es/WebPrensa/inicio>.

5 For the original Order in Spanish (*Orden INT/270/2020, de 21 de marzo, por la que se establecen criterios para la aplicación de una restricción temporal de viajes no imprescindibles desde terceros países a la Unión Europea y países asociados Schengen por razones de orden público y salud pública con motivo de la crisis sanitaria ocasionada por el COVID-19*), please visit: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2020-3972 .

6 For the original European Commission 8 April 2020 press release please visit:

https://ec.europa.eu/commission/presscorner/detail/en/ip_20_616 .

FOOTNOTES (cont'd):

7 For the extension of the original Order in Spanish (*Orden INT/356/2020, de 20 de abril, por la que se prorrogan los criterios para la aplicación de una restricción temporal de viajes no imprescindibles desde terceros países a la Unión Europea y países asociados Schengen por razones de orden público y salud pública con motivo de la crisis sanitaria ocasionada por el COVID-19*), please visit: https://boe.es/diario_boe/txt.php?id=BOE-A-2020-4539 .

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New Article in [Mobility Matters](#)

[“COVID-19 – Potential Impact on Expatriate Travel and Tax Costs”](#)

By Melissa Duffy and Carolyn Chambers, KPMG International member firm in South Africa

So much is changing every day as the impact of COVID-19 transforms the way we live and work. With travel restrictions, travel bans, border closures, “stay at home” and “shelter in place” policies, implemented to stem the spread of COVID-19, business patterns and employee work routines, and places of work, have been turned on their heads. As Carolyn Chambers and Melissa Duffy, KPMG professionals in South Africa, explain, this could lead to immigration status disruptions and increased tax costs. Read the [article](#).

Contact us

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* Please note that KPMG LLP (U.S.) does not provide any immigration services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.

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

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