

GMS Flash Alert

Immigration Edition

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Finland - COVID-19: Travel across Finland's Borders Further Tightened

On 22 January 2021, the Finnish government decided to tighten the restrictions on entry to Finland¹. The new restrictions entered into force on 27 January and will remain in force until 25 February. According to the new rules, only essential travel for work is permitted between Finland and other Schengen countries. "Essential travel" constitutes work that is important for the functioning of society or for security of supply, that must be performed by a person or persons arriving from another country, and that must be carried out without delay.

WHY THIS MATTERS

The travel restrictions have had a considerable impact on travellers and employees moving between Finland and other countries. During the past several months, work-related entry from the Schengen Area has been possible by presenting proof of employment at the border check-point. However, now the new restrictions will limit entry for work purposes to essential work that is significant for the functioning of society or security of supply.

Entry Based on Employment Restricted to Essential Tasks

As of 27 January, permitted entry for work purposes across Schengen internal borders has been limited to essential work. Essential travel constitutes work that is important for the functioning of society or for security of supply and that must be carried out without delay.

Entry requires a separate form² from the employer to justify the reasons why the entry of an employee is essential and why the work must be performed without delay. The employee seeking to enter Finland is advised to present this form at the border check-point. The Ministry of Economic Affairs and Employment maintains a list³ of the work that is considered important for the functioning of society or for the security of supply. The border control authority will consider both the list of critical tasks and the employer's explanation when assessing the reasonings and purpose⁴.

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Other Permitted Travel

Entry to Finland for family matters continues to be permitted from Schengen countries. The definition of relatives will however be tightened in relation to decisions concerning internal borders⁵. According to the new definition, family members include the following: spouse (including cohabitant and close personal relationship), children, parents, parents-in-law, and grandparents. Siblings and cousins are no longer included in the definition.

As of 27 January, restrictions on external border traffic have been lifted for travellers arriving in Finland from South Korea for residents of South Korea. Furthermore, the entry of residents of Australia, Singapore, Rwanda, Thailand, and New Zealand into Finland, when arriving from above-mentioned countries, continues to be unrestricted while taking into account the provisions on the entry of foreign nationals into Finland. The same applies to travel between Finland and the Vatican. Return travel to Finland and travelling with a valid Finnish residence permit will remain permitted. Thus, third-country nationals holding valid Finnish residence permits may continue to arrive in Finland as previously.

Application for Special Groups

It continues to be possible to submit applications for entry for special groups such as representatives of culture, sports and business life, who may be permitted to enter Finland based on specific reasons. These reasons could be related to, for example, helping ensure the revitalisation, new growth, regional economy, or long-term operating conditions for a field of activity.

The application should be submitted via email to the Finnish Border Guard and the applications must include justification regarding the national significance of the activities and outline the procedures that will be used in helping ensure health security. The Finnish Border Guard will send the applications further to the relevant government ministries and, if necessary, also the Finnish Institute for Health and Welfare. Based on the statement, the Finnish Border Guard will prepare a policy concerning the necessity of entry to Finland and inform the applicant. However, the final decision on entry to the country is always made during the check on the traveller at the border check-point.

KPMG NOTE

The KPMG International member firm in Finland continues to monitor these matters closely, and further information is expected to be received in the forthcoming weeks as the authorities further clarify the newly-introduced operating model.

FOOTNOTES:

- 1 See (in English) "Restrictions on entry into Finland to be tightened on 27 January."
- 2 See "Employer's justification for the necessity of an employee entering the country during the state of emergency" (in English and Finnish) (Ministry of Economic Affairs and Employment).
- 3 See the <u>updated list</u> by the Ministry of Economic Affairs and Employment on tasks that are essential for the security of supply or critical for a specific sector (in English).
- 4 See "Guidelines for Border Traffic during Pandemic" (in English) (Raja/Finnish Border Guard).
- 5 See "Government decides to tighten border traffic" (in English).

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* Please note that KPMG LLP (U.S.) does not offer immigration services or labour law 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 Finland.

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