



Relocation & Global HR Solutions

RELOCATION TO FRANCE
IMMIGRATION CONSIDERATIONS REPORT



Relocation to France: Immigration Report

Business Permits

- Business Visitors must generally limit their activities to economic or commercial reasons, making contacts or conducting negotiations, learning or ascertaining the use and operation of capital goods purchased or sold under industrial cooperation or commercial contracts which normally includes the following:
 - Attending business meetings or discussions.
 - Making sales calls to potential clients, provided that the visiting employee represents a commercial entity outside of the host country.
 - Attending seminars or "fact-finding" meetings.
- Following are the general requirements for Business Visitors:
 - The applicant must have a residence and an employer outside of the country and must be traveling for a limited and pre-set time period.
 - The applicant may not receive compensation from sources within the host country (except for "per-diem" expenses, such as meals, accommodation, or car fare).
 - The applicant must evidence proof of sufficient funds (such as cash or credit cards).
 - The applicant must have specific, realistic and pre-determined plans for his or her stay in France.
 - Health insurance should be provided by the sending company.
 - The period of intended stay must be consistent with the intended purpose of the trip. The maximum total period of stay permitted in the Schengen countries is 90 days within a given 180-day period.

Work Permit - General

- European Union Nationals do not require a Work Permit or Visa to be employed in France. However, they must obtain a Carte de Sejour (residence card, see below).
- Other nationals are required a work permit in order to work in France. In order to be eligible for a work permit, the foreign national must generally be able to demonstrate a degree of proprietary knowledge, specialized skills, or managerial or executive-level skills that are not readily available in France's domestic labor market.
- All French work permit applications are dealt on a town-by-town/area-by-area basis. In accordance, processing times varies depending on the workload of the local office. In the area of Ergany the expected processing time is 8 to 12 weeks from the time all of the required documentation has been submitted.
- Following are the process milestone for such a visa:
 - A French corporate sponsor is required to prepare a work permit application on



- behalf of the employee.
- The work permit application is filed with the French Ministry of Labor's local office.
- Once the work permit application is approved by the Ministry of Labor, the approval is sent to the *Office Français de l'Immigration et de l'Intégration* (OFII).
- The OFII will instruct the French consular post to issue the visa. Typically, the consular post is determined by the employee's country of legal residence or the employee's country of citizenship.
- The gross salary of a foreign national working in France must be equivalent to the gross salary that a local employee in a similar position would receive.
- There are two types of permit for France – Temporary Secondment (*Detachement*) and Full Work Permit (*Salarie*).

Temporary Secondment (*Detachement*)

- This permit is for a non-French company that needs to place their employees on its client/partner's site in France. This can be applied for by the foreign company but needs the full co-operation of the French client/partner.
- Following are the requirements for such a visa:
 - The French sponsor must be an operational company with employees, and registered to conduct business in France.
 - The seconded employee must be temporary and his role should be limited to "assisting" or "supplementing" the local staff.
 - The seconded employee must remain in the employ, pay, and line management of the foreign entity.
- This status is typically limited to 18 months. However, in certain cases it can be extended for an additional 18 months.
- In case the employee worked at the relocating company for at least 3 months prior to the application, and in case the assignment is within a group of companies, the work permit can be defined as an intra-company transferee (*Detachement en mission*). This status will enable a legal spouse of the assignee to work freely in France.

Full Work Permit (*Salarié*)

- This is applied for by an established French company who wish to directly employ a non-EEA national. The candidate must be a full time employee and paid in Euros. There is no time limit on this permit.
- In case the employee worked at the relocating company for at least 3 months prior to the application, and in case the assignment is within a group of companies, the work permit can be defined as an intra-company transferee (*Salarié en mission*). This status will enable a legal spouse of the assignee to work freely in France. This



visa category is granted for 3 years and can be extended for additional 3 years.

- Following are the requirements for such a visa:
 - The foreign entity must have a “real and significant” business activity outside of France.
 - The minimum time worked under contract with an affiliate of the French entity outside of France should be at least three months prior to applying for the intra-group/intra-company transfer.
 - The minimum gross salary for the seconded employee should be €2,100.
 - The assignment should last a minimum of three months and a maximum of three years. This visa is renewable at the discretion of the French immigration authorities.

Residence Permit (*Carte de Sejour*)

- Within 8 working days of entry to France, the employee and family members must apply to the nearest "Prefecture" (police authorities), for a Carte de Sejour which will evidence the right to reside in, and to re-enter France. Satisfactory medical examination, undertaken after entry to France, is required.
- The application is lodged with the local Direction Departementale du Travail, de L'Emploi et de la Formation Professionnelle (DDTEFP) and incomplete applications are returned. The processing takes generally 4-6 weeks. When a decision is reached, the approval will be sent by post to the French client.
- The candidate then applies for a visa du long sejour (long term visa) at the French consulate in their usual country of residence; they may then travel to France to start work. Shortly after their arrival in France the candidate will be invited by the Office des Migrations Internationales (OMI) to take a medical test. The candidate will be issued with a carte de sejour (residence card).
- Accompanying family members should obtain long-term entry visas and Cartes de Sejour with the same duration as the assignee.

Family Considerations

- Family members who accompany a foreign national to France or wish to join a foreign national in France must also apply for a residence permit (Carte de Sejour).
- Legal spouses wishing to work in France must obtain their own work permit. However, in case the work permit is defined as an intra-company transferee (*Detachment en mission* and *Salarié en mission*) a legal spouse can work freely in France.
- Un-married significant other and a same sex significant other will need to request a visitor visa from the French consulate at the country of origin.