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# Intracompany Visa

## Overview

The intracompany visa is meant for foreign companies willing to transfer a non-European employee to their Spanish branch or subsidiary.

## Requirements

a. Not to be a citizen of a State of the European Union, of the European Economic Area or of Switzerland, or relative of citizens of these countries to which the regime of citizen of the Union applies.

b. Not to be found irregularly within Spanish territory.

c. Not to hold criminal records in Spain and in the applicant's previous countries of residence for crimes existing under Spanish law.

d. Not to be banned from entering Spain and not to appear as rejectable within the territorial space of countries with which Spain has signed an agreement in this regard.

e. Payment of the relevant fees.

f. Submitting a contract signed by the employer and worker that guarantees the worker an ongoing activity during the period of validity of the authorization to reside and work. The date must be conditional on the effective date of the residence and work authorization.

g. The conditions set in the employment contract must be adjusted to those established by current regulations.

h. The employer must have sufficient economic, material or personal means for its business project and to meet the obligations assumed in the contract against the worker.

i. Having the training and, where appropriate, the professional qualification legally required for the exercise of the profession.



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## Documents required

1. Application form

2. For the employee:

    i. Full copy of valid passport or travel title.

    ii. Copy of the documentation proving the possession of the training and, where appropriate, the professional qualification legally required for the exercise of the post.

3. For the company:

    i. Documentation that identifies the company requesting authorization. If it is a legal person (S.A., S.L., Cooperativa, etc.), copy of the NIF of the company and copy of the deed of incorporation duly registered at the corresponding Registry.

    ii. Copy of the public document proving that the signatory of the authorization request has the legal capacity to act on behalf of the company.

    iii. Copy of the NIF or NIE or consent to verify the identity data through the Identity and Residence Data Verification System of the signatory of the application.

    iv. Signed (soft & hard copy) of the employment contract. The copy will be stamped by the Foreigner's Office and returned for later presentation by the applicant together with the application for a residence and work visa.

    v. Documentation accrediting the non-consideration of the national employment situation.

    vi. Proof that the company can guarantee the necessary financial capacity to pay the applicant's salary via a copy of the tax return, or VAT, or the Corporate Tax or the report of the company's working life (VILE), for the last three years.

    vii. Description of the post to be performed.

The documents must be translated into Spanish or co-official language of the territory where the application is to be submitted.



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Any foreign public document must be legalized by the Consular Office of Spain with the jurisdiction at the country in which said document has been issued or, where appropriate, by the Ministry of Foreign Affairs and Cooperation.

## Procedure

The procedure is two-fold; i. Authorisation phase where the employer must submit a request to bring the employee to Spain and when this is granted ii. Visa Application phase where the employee request the visa to be granted.

Authorisation phase

a. Who should submit the Authorisation?
   The employer, personally, or through a legitimized person with corporate legal representation attributed.

b. Where?
   Immigration Office of the province where the services will be provided.

c. Fees?
   Payable within 10 days from the time of application.
   Amount of fees: -
   - 10.72 € (payable by the applicant)
   - 199.82 € (payable by the employer)

d. Deadline for resolution of the Authorisation? 3 months from the date of the application being submitted after which will be deemed refused if no answer is provided.

Visa Application phase

Once the Authorisation has been granted the applicant should, within one month, personally apply for the visa at the diplomatic mission or consular office where he resides. The visa application must accompany:

i. Ordinary passport or travel title recognized as valid in Spain with a minimum validity of four months.

ii. Criminal record certificate issued by the authorities of the country of origin or of the country or countries where you have resided during the last five years.

iii. Medical certificate.

iv. Copy of the contract presented and stamped by the Foreigner's Office.



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v. Proof of visa fee payment.

vi. The consulate will decide on the request within one month.

vii. If the visa is granted, the applicant must pick it up the personally within one month from the date of notification of the visa being granted. If the collection is not made within the said period, it will be deemed that the applicant has abandoned the application.

viii. The applicant must then enter Spain during the three-month period of the validity of the visa.

ix. Once the applicant enters Spain, he must register at the corresponding Social Security office within three months from the date of entrance.

x. Within one month after the worker has registered with the Spanish Social Security, he must personally request the Foreigners' Identity Card at the Foreigner's Office or Police Station of the province where the Authorisation has been processed. The applicant must at that point produce his passport or travel document for the purposed of registering his fingerprints and will provide:

   a. Proof of payment of the Foreigners' Identity Card fee.

   b. Proof of membership and / or registration of Social Security.

   c. Three recent colour photographs, in white background, passport size.

The duration of this Visa is for one year renewable two times for periods of two years until reaching a maximum period of 5 years when the applicant will be able to apply for the permanent residence.

## Timeframe

From 3 to 6 months.

## Costs

Our professional fees

Our professional fees for assisting with the above process amounts to £3,500 plus £1,200 if we are also asked to draft the employment contract to ensure it does not hinder the application.



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Disbursements

- Combined application fees of 210.54 € ·
- Sworn Translation fees (normally around £50 plus VAT per 1 sheet document).
- Legalization fees (£36 per document)

Hourly rates and qualifications of the solicitors likely to be involved:

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| Partner, Solicitor & Spanish Abogado | £350 |
| Associate Spanish Abogado | £250 |
| Paralegal / Trainee solicitor Spanish Abogado | £150 |

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