

GCC Immigration roundup

September 2022



In brief

A series of key changes were announced in our last round-up this summer, pertaining to visas, new immigration categories as well as localisation guidelines in the UAE and Saudi Arabia. Changes to the Golden Visa and Green Visa will be implemented from October 2022 onwards. Both visa categories will offer greater flexibility and independence to individuals in the UAE labour market.

Saudi Arabia has announced that further professions will be localised in 2023 for a number of industries in its aim to provide more job opportunities for Saudi nationals. In Qatar, companies should expect delays in immigration processing due to the upcoming FIFA World Cup event. Bahrain has introduced a six month multiple entry training visa, and Kuwait has temporarily suspended processing of family residence visas.

The detail

United Arab Emirates

In our summer roundup, we reflected on a number of announcements by the UAE Government in relation to the introduction of new visa categories including Green Residency, Job Exploration Visa and the expansion of the Golden Visa programme. More details are expected to be published in due course, but the roll out of these new categories and/or changes to the requirements are expected to take effect from 3 October 2022.

From updates on new eligibility requirements as well as the time permissible out of the country, here is all you need to know.

Golden Visas

In a bid to open up accessibility to this scheme, the authorities have widened the eligibility requirements to include:

- Highly skilled professionals including those working in education and law. Applicants will need to hold a degree and a monthly minimum income of AED 30,000;
- Entrepreneurs who own a business in the UAE with an annual revenue of AED 1 million or more;
- Individuals who own a property in the UAE worth more than AED 2 million;
- High performing students in UAE secondary schools and graduates with high academic performance at UAE universities or one of the best 100 universities worldwide. Family members of the student would also be included on the visa.

In addition, the following has been clarified:

Time-spent outside of the UAE - It is now possible to spend extended periods of time outside of the UAE without impacting eligibility or the validity of the visa. Under a standard resident visa, the status would be nullified upon spending more than six months outside of the country.

Sponsoring dependants - The UAE Golden Visa allows for the individual holder to sponsor their family members, including spouse and children (regardless of the age of the dependant). In the unfortunate event that the Golden Visa holder passes away, dependents will be able to retain their Golden Visa dependent status;

Renewing Golden Visas - In an aim to retain talent, the Golden Visa is renewable and will be renewed for a further period of 10 years on application.

Green Residency Visa

The Green Residency Visa will allow highly skilled employees, entrepreneurs and investors to obtain a residency without the need for a sponsor, for a period of five years.

What are the biggest changes?

- The Green Visa was initially scheduled to come into effect in September 2022. However, the Federal Authority for Identity Citizenship and Ports Security (ICP) has recently announced that the new Green Visa implementation has been delayed, and will come into effect on 3 October 2022.
- Green Visa holders will be able to sponsor first-degree relatives. The benefits of the long-term visas will extend to immediate family members. Children can be sponsored by the Golden & Green Residence visa holder until the age of 25 – an increase from the previous rule of 18 years, taking away with the age limit for unmarried daughters. In all cases the residency of family members shall be equal to the validity duration of the primary residence holder.

Job Seekers visa

The authorities have recently announced a new type of visa that will allow job seekers to enter or remain in the UAE without the need of a sponsoring employer, from 3 October 2022. It allows individuals to come to the UAE to explore work, investment and business opportunities without being sponsored by a host. In addition, it offers a longer grace period for residents with expired visas. Those who have lost their jobs will now have the option to remain in the country and explore job opportunities, for a duration of six months after the cancellation or expiry of their residence permit.

Emiratisation deadlines

The Nafis programme has been re-launched, and whilst it is an interactive platform to allow businesses to connect with the local workforce, it also serves to monitor Emiratisation requirements. As highlighted in our previous alert, there has been a categorisation of companies into three tiers according to adherence with Emiratisation targets.

Companies in Mainland UAE will need to increase their current Emiratisation rates by 2% at the end of 2022, and continue to do so annually, with a 10% Emiratisation target by 2026. Currently an Emiratisation threshold is applicable of 2% for commercial entities and 5% for insurance companies (in case of more than 50 employees), as well as an Emiratisation rate of 4% for banks. Companies must ensure that they fulfill all the updated requirements, otherwise they will risk being subjected to a monthly penalty fee of AED 6,000 for each vacancy that has not been filled by an Emirati worker and the penalty will increase by 1% every year. Compliance should be ensured by January 2023 to avoid penalties and sanctions.

Saudi Arabia

In a significant move, Saudi Arabia has introduced several measures to facilitate the ease of securing visas and entry to The Kingdom for Visitors. A summary of these changes can be found below:

- *E-visa* - The Saudi Ministry of Tourism has announced in September 2022 a new regulation that enables individuals with a valid resident permit in one of the GCC countries (Qatar, Kuwait, Bahrain, Oman, UAE) to apply for a multiple entry e-visa. This e-visa can be applied for via a specially designated online portal, is valid for one year and allows visitors to stay up to 90 days in the country, primarily for tourism purposes. Only applicants with certain job titles included in the approved occupation list* will be eligible for this type of visa. The Decree simplifies the visa application process and takes away the need to visit a local Saudi Embassy in the applicant's country of residence. Travelers will be required to have residence issued by a GCC country valid for at least three months, as well as a passport valid for at least six months, to be eligible.

*The extensive list of occupations eligible for the e-Visa can be found under the following link:

<https://www.visitsaudi.com/en/travel-regulations/gcc-residents-occupation>

- *VOA expansion* - Holders of a valid residence, tourist or business visa status issued by the United Kingdom, the United States, or one of the Schengen countries will now be able to apply for a Visa on Arrival (VOA), and immediately obtain this VOA upon entry in Saudi Arabia. The main condition would be that applicants should have entered the country that issued the visa at least once prior to their travel to the Kingdom.
- *FIFA visit visa* - In order to promote tourism in the region during the FIFA World Cup tournament in Qatar, Immigration authorities in Saudi Arabia (and the U.A.E.) will start issuing multiple-entry visit visas to visitors of the FIFA World Cup in Qatar. The Saudi visa will permit a stay of up to 60 days and aims at easing travel throughout the region during the tournament in Qatar. We expect the application process and further details to be soon announced by the Saudi immigration authorities.

The above measures are expected to boost tourism to the country, and facilitate the ease in which travelers can enter Saudi Arabia for tourism purposes.

Bahrain

Training visa

The Nationality, Passports and Residence Affairs Authority in Bahrain has introduced a six-month multiple-entry visa for training purposes. An important criterion to qualify for the visa is that the applicant must be a trainer or trainee in the private or public sector in Bahrain. A letter from the company clarifying the training details should be included in the application, amongst other documents. The visa can be granted for an initial six month period, and is extendable for another six months. Applications can be made online via a designated e-visa portal.

Qatar

Immigration processing delays

With just a couple of months until the FIFA world cup event in Qatar, which will be held from 20 November to 18 December 2022, the following should be considered:

- The Qatari authorities have recently announced that entry of all visitors through air, land and marine borders will be suspended from *1 November until 23 December 2022*. Only World Cup 'Haya' ticket holders will be allowed to enter the country. Exempted categories include Qatari citizens as well as Qatari residents, foreign nationals in the possession of an entry work permit, and any individuals entering on humanitarian grounds (subject to approval of the concerned authorities).
- Processing times for work and family permits - In comparison to the normal processing times, we expect the immigration authorities will further slowdown on processing all types of permits. We anticipate a change in the processing times to differ from a few days to some weeks.
- Limit on the issuances of permits - The Qatari immigration authorities have furthermore announced limitations on the issuance of different types of work, family and multiple entry visas. Currently the authorities are rejecting family visa requests (for both visit and residency purposes) for the following job designations.
 - Technician (All types)
 - Supervisor
 - General supervisor
 - Petrochemicals

Other job designations might be affected at any given time, without prior notice. We expect resumption of the service for the mentioned job designations after the World Cup.

As of today, it is not clear whether the immigration authorities will discontinue or impose a limit on accepting any new Work visa applications in the coming months (we do not anticipate such changes at least on the QFC and other freezone based entities). However, the processing timelines will continue to be impacted which may vary from a few days to weeks at the discretion of the authorities.

We highly recommend that businesses plan their immigration needs and hiring requirements in light of the delays attributed to the World Cup. PwC will continue to closely monitor the developments and provide timely guidance on any new processes and timelines implemented by the Qatari Immigration authorities.

Kuwait

Suspension dependant residence permits

The Kuwaiti Ministry of Interior has temporarily suspended the issuance of family residence visas until further notice, as part of wider changes to the regulatory framework. The suspension also includes family visit visas as well as consular tourist visas. Entry to Kuwait is possible under either an e-visa, a visa-on-arrival or a valid residence permit. No further details have been announced with regards to the duration of the suspension and when this will be lifted, but we will monitor developments closely.

Time spent abroad

Normally the maximum length of stay for expatriates outside the country is six months without impacting the validity of any current residence permits. However, the Kuwaiti Cabinet had previously granted and has now confirmed special permission to students and those on dependant visas to stay abroad for over six months, as well as holders of work permits, without risking cancellation of their residence status. The only exception applicable is for domestic workers; for intended stays of over six months the sponsor of a domestic worker must sign a special agreement, otherwise their residence permit will be cancelled.

Furthermore, the decision of residency renewal for expats that have exceeded a six month stay out of the country is still valid. This means that expats do not need to worry about having less than six months of validity on their residency when they are out of the country. The residency can be renewed online on the Ministry of Interior's website (MOI) by the sponsoring company.

Key takeaway

The United Arab Emirates have implemented new immigration regulations which include significant changes to the country's immigration system by introducing new visit and residency visa systems, among other developments. Legislation in various GCC countries seeks to diversify the labour market by attracting talented and skilled foreign nationals, in an attempt to further opening up the country for tourism, business and employment. At the same time GCC countries are working hard on quotas for localising an increasing number of professions in various industries, in their aim to provide more job opportunities for local nationals and increase local labour participation.

How can we help?

We understand that this is a challenging and unpredictable time for many companies and their employees. We can help to:

- Advise on changes highlighted in this round-up, and any impact on your organisation(s) based in the GCC;
- Assist with advising stakeholders and drafting communication to employees on travel, visa and residence requirements as they change in the region (in compliance with Government announcements and immigration requirements);
- Provide end-to-end visa support on a range of applications across the GCC.

Let's talk

For a deeper discussion of how these issues might affect your business, please contact:

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