



European  
Commission



# Mobility after CETA

**13 March 2017**

**Jan Saver**  
**European Commission DG Trade**

This presentation does not represent the official position of the European Commission. The views expressed are those of the author. Please do not quote or use any part of it without the author's permission.



# Main achievements of CETA

- Comprehensive commitments on intra-corporate transfers
- Extended durations of stay for professionals
- Additional sectors committed
- New profiles
- Spouses





# Which types of staff and activities?

- Intra-corporate transferees (managers, specialists, trainees)
  - **EU-wide rules, no labour market / economic needs test, intra-EU mobility rights, rights for spouses**
- Contractual service suppliers and independent professionals
  - **Up to 12 months**
  - **Highly-educated, with considerable experience**
  - **National rules, which differ per MS**
  - **Example: management consulting services: ENT in CZ, but not in most other MS.**





# Which types of staff and activities?

- Short-term business visitors
  - **Up to 90 days in any 6 month period**
  - **covering an extensive list of activities (Annex 10-D)**
- Business visitors for investment purposes
  - **Up to 90 days in any 6 month period**
  - **without the need of a work permit**
- Investors
  - **Up to 1 year**





# Intra-Corporate Transferees (ICTs) – EU scheme

- Common EU rules for admission of intra-corporate transferees
- Covering entry, residence, mobility within EU, rights of transferees and their family
- Managers, specialists (3 years); trainees (1 year)





# EU-scheme for ICTs: Conditions, procedures, fees

- Transfer within a group of undertakings as a specialist, manager or trainee
- No labour market test
- Procedure takes no more than 90 days
- Simplified procedures can be applied to trusted undertakings
  - **Faster procedures**
  - **Exemption from providing documents**
- Fees are kept low





# EU-scheme for ICTs: EU-wide Mobility

- Right to stay and work in other Member States
  - **No new visa, no new application, no interruptions**
  - **Most flexible scheme: up to 3 months in each additional Member State**
  - **Long-term mobility: more than 3 months in a second MS**
- Working conditions
  - **As EU Posted Workers (Directive 96/71/EC), but with higher salary requirement**
- Second Member State can object if conditions are not respected
- Member States will make information available (e.g. online)





# ICTs: Family reunification

- Family members can join the transferee
- They can work in the first EU MS and in any other MS where the transferee stays long-term
- No labour market test
- Applications of family members are processed in parallel, ensuring family members do not face delays in joining up.
- Right to education, guidance and training is maintained (as in existing EU rules on family reunification)
- Not just in the EU, but also in Canada due to reciprocity in CETA







# EU-scheme for ICTs: Rights of Intra-Corporate Transferees

- Equal treatment between transferees and EU nationals
  - **Social security**
  - **Freedom of association**
  - **Recognition of qualifications**
  - **Pensions**
- Limited exceptions
- Working conditions
  - **At least equal to EU posted workers**
  - **Higher salary threshold**





# EU-scheme for ICTs: EU Member State choices

- Prior work experience
  - **3-12 months for manager and specialist**
  - **3-6 months for trainee**
- Absence after maximum duration of transfer
  - **Up to 6 months**
- Simplified procedures
- Mobility scheme
  - **Apply flexible short-term scheme to long-term mobility**
- More favourable provisions are always allowed





European  
Commission

*Thank you*

