



Ad-Hoc Query on Requirements for operating a business activity

Requested by ES EMN NCP on 7th May 2014

Compilation produced on 30th July 2014

Responses from Austria, Belgium, Bulgaria, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovak Republic, Spain, Sweden, United Kingdom plus Norway (22 in Total)

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1. Background Information

Any foreign worker who intends to start a business in Spain can do so in one of two ways:

- If the business involves activities of special economic interest, they can benefit from the provisions of Law 14/2013 of 27 September on support for entrepreneurs and their internationalisation.
- For all other activities, they must submit the documentation required in the regulations referred to in Organic Law 4/2000 of 11 January on the rights and freedoms of foreign nationals in Spain and their social integration, and in its regulations, approved by Royal Decree 557/2011.

In both cases, the foreigner must be over 18 and meet the following residence requirements:

- They must not be on Spanish territory irregularly.

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- They must not have had a criminal record, either in Spain or in their former countries of residence for the past five years, for offences stipulated in Spanish law.
- The worker must not be listed as objectionable in the territorial space of countries with which Spain has signed an agreement in this regard.
- They must have paid the temporary residence permit processing fee.
- They must have a public or private health insurance policy.

Notwithstanding the above, foreigners intending to start a business in Spain can come from two different situations:

- Outside Spain, or
- In Spain



1. If the third-country national is not in the Member State:

- a) What requirements must be met by third-country nationals intending to enter the Member State to start a business?
- b) Is the authorization limited to a geographical area?

2. What requirements must be met by third-country nationals already residing or staying in the Member State who wish to start a business?

It would be very much appreciated if we could receive the answers by **7th June 2014**.



2. Responses

		Wider Dissemination?	
	Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	Belgium	Yes	<p>Background Information</p> <p>Third country nationals (TCN) intending to start a business in Belgium have to hold a Professional Card (PC). In order to receive a PC they have to fulfill three criteria:</p> <ul style="list-style-type: none"> • Right of residence: If the TCN hasn't gained the right of residence, he must apply for it at the consular or diplomatic representation at the same time as he applies for a professional card • Compliance with regulatory obligations, in particular those regarding the professional activity: it is checked that the TCN and/or his company meet the access requirements for the intended professional activities and that all other obligations linked to the status are fulfilled. • Relevance of the project to Belgium: The economic utility is measured, i.e.: response to an economic need, jobs creation, useful investments, economic benefits for companies located in Belgium, new opportunities for exports, innovation or specialization. Relevance


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		<p>may also be assessed in terms of social and cultural benefits or those in the field of arts and sports</p> <p>If the application meets the required criteria, the Economic Permits Unit (within the Federal Public Service Economy) can issue a PC to self-employed professionals, who can then complete administrative formalities before they get started (obtaining their enterprise number, registering with the Enterprise Crossroads Bank.)</p> <p>Some categories of TCN are exempt from the requirement of PC, as laid down in the <i>Royal Decree of 3 February 2003 exempting certain categories of foreigners of the requirement to hold a professional card to engage in self-employed activities</i>. This is due to the nature of their activity, their residence status or in accordance with international treaties. Exempted categories include for example: foreigners holding a residence permit with unlimited duration, foreigners on business trips whose stay doesn't exceed three consecutive months, refugees recognized by Belgian authorities, foreign students who have the right to stay in Belgium, on an internship required by their studies, for the duration of that internship, foreigners who come to Belgium to follow an internship approved by the competent authorities within the framework of development cooperation, etc.</p> <p>The professional card is attributed for a maximum period of five years. Generally, an initial card is granted for a probation period of two years. Once it expires, it may be renewed as long as the TCN meets all his regulatory, tax and social security obligations as well as the criteria of relevance on the basis of which the permit was granted. The validity of the card is linked to the cardholder's right of residence. If this right is revoked, the card can no longer be used and must be returned to an enterprise counter.</p> <p>1. a. Before a TCN can enter Belgium to start a business he has to apply for a Professional Card (PC) and a visa D t the Belgian consular office in his country of origin/residence. The visa D application is handled by the Immigration Office and the application for a professional card by the Federal Public Service Economy – Economic Permits Unit.</p> <p>Documents required for visa D request:</p> <ul style="list-style-type: none"> • Visa application form • Valid passport • Professional Card or proof of exemption to hold a PC • Medical certificate (no threat to public health) • Proof of good behavior and morals <p><u>Work requirements:</u></p> <p>As mentioned above, applications for PC are assessed according to three criteria:</p> <ul style="list-style-type: none"> - It is required that the TCN gains a right of residence - It is required that the TCN meets the access requirements for the intended professional activities - It is required that the project's relevance to Belgium is determined (based on description of the project, skills and experience of the TCN, financial standing, market study, financial analysis, business partners, contract opportunities, etc.) <p>1. b. The authorization is not limited to a geographical area, but it is limited to the specific activity (or activities) for which it was requested. If the <i>entrepreneur</i> wants to change (or expand) his activities, he needs an official approval from the Economic Permits Unit.</p> <p>2. When a TCN is already residing in Belgium with a <i>residence permit with limited duration</i> or a "<i>certificate of registration</i>" (<i>attestation d'immatriculation</i>), he can request a PC at a recognized enterprise counter of his choice.</p> <p>There are three conditions related to the activity that are to be fulfilled to receive a Professional Card for TCN already residing in Belgium:</p>
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			<ul style="list-style-type: none"> • The activity has to be compatible with the reason of the stay • The activity is not situated in a saturated sector (e.g. call shops) • There is no risk for a disruption of the public order. <p>The PC is valid for the duration of the residence permit. Sources: - Website FPS Economy - Website Immigration Office</p>
	Bulgaria	Yes	<p>1. For a TCN not present in the territory of Bulgaria:</p> <p>a) To be a self-employed in Bulgaria TCN must obtain:</p> <ul style="list-style-type: none"> - Self-employment Permit – Self-employment Permit must be obtained from the Employment Agency of the Ministry of Labour and Social Policy. It will be granted on the basis of a business plan assessing the economic and social impact of the activity, documents related to the TCN's education and qualifications, and a medical certificate. It should be collected from the Bulgarian embassy or consulate in the third-country abroad. - Visa "type D" – once a Self-employment Permit has been granted and collected, the TCN should, if necessary – depending on his/hers nationality, apply for a visa "type D" at the Bulgarian embassy or consulate in the third-country abroad. - Residence Permit – if the TCN wish to stay in Bulgaria after his/hers visa expires (generally for more than six months), he/she must also obtain a Residence Permit from the Migration Directorate at the Ministry of Interior. TCNs apply for Residence Permits after they enter Bulgaria. <p>The Self-employment Permit is valid for a maximum of one year, renewable for maximum of up to three years. After three years, TCNs must return to a third-country for one month after which they can apply for a new Self-employment Permit via the same procedure. The duration of the Residence Permit is aligned with the duration of the Self-employment Permit. TCNs must apply to renew it with the Migration Directorate no later than seven days before it expires. The Residence Permit will become invalid following expiry of the Self-employment Permit. TCNs cannot change their main business/responsibilities during the first year of the Self-employment Permit. However, changes related to details of the business/responsibilities are possible, but subject to approval of the Employment Agency. TCNs must report such changes within seven days to the competent authorities.</p> <p>b) The authorization is not limited to a geographical area within Bulgaria.</p> <p>2. A TCN who is already residing on the territory of Bulgaria, presumably on other grounds, cannot apply for a Self-employment Permit. He/she must return to a third-country and then start the procedure from abroad.</p>
	Estonia	Yes	<p>1. For submitting an application, the person should contact foreign representation of the Republic of Estonia. According to Aliens Act a temporary residence permit for enterprise may be issued if the settling of an alien in Estonia shall significantly contribute to the achievement of the purpose of the residence permit granted for enterprise and the following conditions are met:</p> <ol style="list-style-type: none"> 1) an alien has a holding in a company or he/she operates as a sole proprietor; 2) the company or the sole proprietor is entered into the commercial register of Estonia; 3) an alien has sufficient monetary resources for engaging in enterprise in Estonia


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			<p>An alien who has a holding in a company is required to have the capital in the amount of at least 65,000 euros, which is invested in business activity in Estonia. An alien who is applying for a temporary residence permit for enterprise as a sole proprietor is required to have the capital in the amount of at least 16,000 euros invested in Estonia.</p> <p>The equity capital, subordinated liability and registered amount of fixed assets of a company are deemed to be included in the invested capital as a condition for the grant and extension of a temporary residence permit for enterprise.</p> <p>An alien shall submit the description of the business plan on the basis of which it is possible to assess if the grant of a residence permit to him/her shall be in compliance with the purpose of the grant of the residence permit for enterprise and provide evidence, in addition to other facts which are relevant in the proceeding, that there are no circumstances which would preclude his or her nomination as a member of the management body, procurator or the acquisition of a major holding or prohibit to be an actual beneficiary.</p> <p>2. A temporary residence permit for enterprise shall set out the areas of activity permitted for the undertaking and, where necessary, also the licensed territory.</p> <ul style="list-style-type: none"> • The application for residence permit may be submitted in Estonia, provided that the following conditions are fulfilled: • the company has been registered in Estonia at least 4 months prior the submission of an application for residence permit; • the company has conducted business activities in Estonia at least during the last 4 months; • the person is staying in Estonia legally on the basis of visa-free stay or visa in connection with the activities of the company.
	Finland	Yes	<p>1. a) Self-employed persons need a residence permit for a self-employed person to practice their profession in Finland. A person is self-employed if he/she practices a profession or is engaged in trade in his/her own name, or if he/she has a similar responsibility for a company. The application is, as a general rule, submitted to the Finnish Immigration Service before entering Finland and the application is processed in two stages:</p> <ul style="list-style-type: none"> - The Centre for Economic Development, Transport and the Environment makes a partial decision on the application. It evaluates the profitability of the business and the sufficiency of income to cover living expenses. The profitability of the business is evaluated on the basis of documents such as the company's business plan, binding preliminary agreements, and financing. The Centre for Economic Development, Transport and the Environment may ask further clarification if the documents accompanying the application are not sufficient. - When the partial decision has been made, the Finnish Immigration Service will process the application and make a decision on it. In some cases, the applicant will be interviewed before the final decision, in writing or orally. <p>In some cases, it is possible to submit an application for a first residence permit, when the person has already entered Finland:</p> <p><i>Section 49 of the Alien's Act:</i></p> <p><i>Issue of first fixed-term residence permits to aliens who have entered the country without residence permits</i></p> <p><i>(1) An alien who has entered the country without a residence permit is issued with a temporary or continuous residence permit in Finland if the requirements for issuing such a residence permit at a Finnish diplomatic or consular mission abroad are met, and if:</i></p> <ol style="list-style-type: none"> 1) the alien or at least one of his or her parents or grandparents is or has been a Finnish citizen by birth; 2) the alien has already, before entering Finland, lived together with his or her married spouse who lives in Finland, or has continuously lived together for at least two years in the same household in a marriage-like relationship with a person who lives in Finland;


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			<p>3) refusing a residence permit for an employed or self-employed person applied for in Finland would be unfounded from the alien's or employer's point of view;</p> <p>4) the alien has before entering Finland resided in another Member State for the purposes of carrying out scientific research referred to in the Directive on researchers, and applies for a residence permit in Finland for the same purpose or is a family member of such a person; or</p> <p>5) refusing a residence permit would be manifestly unreasonable. (516/2008)</p> <p>(2) A temporary or continuous residence permit is issued on the same grounds as an equivalent permit applied for abroad. (3) Correspondingly, the provision in subsection 1(2) applies to registered partnerships of the same sex and to marriagelike relationships of two persons of the same sex living continuously together in the same household.</p> <p>b) No. The geographic location is dependent of the type of business activity, and the Centre for Economic Development, Transport and the Environment makes the overall evaluation of the viability of the business.</p> <p>2. A person, with e.g. a residence permit for an employed person can start his/her own business, although the primary reason for the residence (in this case employment/working for an employer) has to be the primary activity. If the person wants to be a self-employed person "full-time" i.e. earn one's living solely through self-employment/own business, he/she has to apply for a residence permit of a self-employed person. In that case, the application is decided upon in the same way as described in question 1; the business activity is evaluated for viability by the Centre for Economic Development, Transport and the Environment.</p>
	France	Yes	<p>1. a) Third-country nationals who wish to start a business in France may apply for different residence permits, depending on their situation and their project:</p> <ul style="list-style-type: none"> - Residence permit for third-country nationals pursuing a commercial activity; - Residence permit for third-country nationals working as self-employed or setting up a liberal profession; - "Skills and talents" residence permit; - Residence permits issued on grounds of exceptional economic contribution. <p>Third-country nationals intending to enter France to start a business must apply for a long-stay visa at the French consular office of their place of residence. Within two months of their arrival in France, they must apply for one of the above-mentioned residence permits, depending on their project and their situation, at the prefecture of their place of residence (see requirements detailed in 2.)</p> <p>Third-country nationals wishing to pursue a commercial activity and who are not yet residing in France must first apply for a long-stay visa with the purpose of pursuing a commercial activity at the French consulate of their place of residence. In addition to the conditions for obtaining a long-stay visa, they are required to provide evidence of the economic viability of the project.</p> <p>b) N/A</p> <p>2. Requirements depend on the residence permit:</p> <ul style="list-style-type: none"> • Residence permit for third-country nationals pursuing a commercial activity: <p>The applicant must provide evidence of:</p> <ul style="list-style-type: none"> - the economic viability of the project;


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			<ul style="list-style-type: none"> - the compatibility with public security, health and peace; - the compliance with the obligations of the profession; - and the absence of conviction or ban on exercising any commercial activity. <p>When examining the application, the prefect also consults the local finance director of the French <i>departement</i> in which the applicant intends to start his/her business.</p> <ul style="list-style-type: none"> • Residence permit for third-country nationals working as self-employed or setting up a liberal profession: 2 main criteria are taken into consideration: <ul style="list-style-type: none"> - The financial resources of the applicant, whose gross monthly incomes must be at least equivalent to the minimum wage (€ 1 445.38). - The nature of the project, in particular its seriousness and the capacity of the applicant to complete the project. • “Skills and talents” residence permit: Applicants should meet the following criteria: <ul style="list-style-type: none"> - Present a project that contributes to the economic growth and the international outreach of France and their country of origin; - Be able to prove their aptitude to accomplish the project. <p>According to Article R.315-1 of the CESEDA (Code on Entry and Residence of Foreigners and Right of Asylum), the project will be assessed taking into consideration its geographic location, the economic sector involved and the number of potential jobs created. The aptitude of the applicants to succeed will be looked at based on their level of education, their professional experience and, if need be, the intended investment.</p> <ul style="list-style-type: none"> • Residence permits issued on grounds of exceptional economic contribution: This type of residence permit can be issued to third-country nationals who either directly or through a company they run or of which they own at least 30 % of the capital, meet at least one of the two following conditions: <ul style="list-style-type: none"> - Creating or saving, or committing to create or save at least fifty jobs in France; - Investing, or committing to invest a minimum of ten million euros in tangible and intangible assets. <p>This residence permit benefits a very limited number of people.</p>
	<p>Germany</p>	<p>Yes</p>	<p>1. a) A third-country national residing abroad who intends to exercise self-employed activities in Germany, has, as a matter of principle, to apply for a visa for this purpose which will be converted into an appropriate residence title after his or her entry. On the one hand, the general conditions for the granting of the visa and the residence title as applicable to all other residence titles have to be met, especially in compliance with the passport obligation (serves also as proof of identity), the assurance guaranteeing one’s means of subsistence and the exclusion of danger to public order and safety by the foreigner (§ 5 German Residence Act). On the other hand, the special conditions for the granting of a residence title for the purpose of exercising self-employed activities have to be met (§ 21 German Residence Act). Therefore there must either be an economic interest in the self-employed activities or a regional need for such activities, it must also be expected, that such activities will have a positive effect on the economy and the financing of these activities must be secured. A residence title for the purpose of self-employed activities can also be granted for those who were educated at universities if their work is connected with their scientific education and activities, and, furthermore, if special privileges should apply in accordance with agreements made under international law on the basis of reciprocity.</p>


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			<p>The German Residence Act is available in English under http://www.gesetze-im-internet.de/englisch_aufenthg/index.html .</p> <p>b) If the regional need for the execution of self-employed activities is a determining factor for the granting of a residence title, it might be endorsed with the condition that the activities must be performed at a certain location or in a certain region. However, the foreigner's personal right of residence shall not be limited in an analogous manner.</p> <p>2. The foreigner who was granted legal entry to Germany without the corresponding visa and who is entitled to make a subsequent application for a residence title for the purpose of self-employed activities must meet the general and special conditions as listed in the answer to question 1a). If the foreigner already holds a residence title for another purpose, a residence title for self-employed activities can be granted in addition if he or she meets the special conditions as listed in the answer to question 1a). The answer to question 1b) shall apply in both cases and accordingly.</p>
	Greece	Yes	<p>1. a) The new Immigration and Social Integration Code that was put into force on 1 June 2014, provides for TCN residence permit for business activity as follows:</p> <p>I. investment activity which is beneficial to the national economy and development. In this case, up to ten (10) persons may enter the country in order to carry out this investment activity. More specifically, these persons may be:</p> <ul style="list-style-type: none"> - high ranked executives, such as financial and legal advisors who can make all necessary steps to start the investment; - experts and middle ranked executives to offer their services at the investment implementation; - specialised members of the company's staff during the investment activity. <p>II. "Strategic investment" activity In case of a "strategic investment", as characterised by the Greek Inter-ministerial Committee on Strategic Investments, up to ten (10) persons deemed necessary may enter the country with a visa type "D".</p> <p><u>Requirements</u> For the investment activity which is beneficial to the national economy (I), applications to invest are submitted to the consular authority at the place of residence of the party interested in investing in Greece and are transmitted to the Ministry of Development and Competitiveness. The Ministry's opinion on the investment is necessary for the issuance of visas. The non-EU citizen who holds a visa for investment activity will receive also a residence permit provided the necessary supporting documents are in place. For the "strategic investment" (II), up to ten non-EU citizens may receive a visa type "D" for each investment, as these are deemed necessary for the implementation of investment characterised as "strategic" by the Greek Inter-ministerial Committee of Strategic Investment. This permit is issued by the Ministry of Interior within five (5) days. For both categories of activity, applications for the issuance of a residence permit are submitted to the Ministry of Interior. In case of strategic investments, applications for visas type "D" should be accompanied also by a report by the Greek Secretary General of Strategic and Private Investments. This residence permit is of five (5) year duration, renewable for five (5) years each time. It is issued and renewed by the Ministry of</p>

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			<p>Interior. In case of strategic investments, residence permits are of ten (10) year duration, renewable for ten (10) years also, provided that all preconditions are also met.</p> <p>Family members also receive residence permits, if they apply under the specifications for family reunification.</p> <p>In case of “strategic investments”, residence permits may be issued for the domestic personnel or personal assistants to members of family with disabilities.</p> <p>b) There is no geographical limitation for such investment activity and hence the residence permit issued for its implementation.</p> <p>2. Pursuant to pertinent legislation, and more specifically the <u>transitional provisions</u> included therein (Chapter C’), residence permits issued for “independent business activity” which were valid at the time the new Immigration and Social Cohesion Code was put into force, that is 1 June 2014, can be renewed for three (3) years provided (i) this business activity is still being undertaken, and (ii) all tax and social security obligations have been fulfilled.</p> <p>Otherwise, according to the pertinent Immigration and Social Cohesion Code, long term residents enjoy equal treatment with Greek nationals and hence they can pursue any economic activity. Consequently, for instance, holders of an employed worker residence permit should first transfer to a long term resident status and then undertake business activity.</p>
	Hungary	Yes	<p>1. a) If the start-up of a business would not necessitate the stay of the third-country national for more than 90 days, a Schengen visa is needed to be applied for or the third-country national may enter visa-free if their state is exempted from the visa requirement. For fulfilling the requirements of gaining a Schengen visa, an inviter may apply for an invitation letter for the third-country national. The inviter in this case may be a company or a future economic partner that as a result of the invitation provides accommodation and subsistence for the third-country national while arranging the start-up of their own business.</p> <p>If the start-up of a business would necessitate the stay of the third-country national to exceed 90 days, a residence permit shall be applied for. There is no specific permit issued for the purpose of starting a business before it is officially established, therefore in this case if the general requirements for stay exceeding 90 days are met, a residence permit for “other” purpose may be issued. For entry into the territory of Hungary and for stays in the territory of Hungary for an intended duration of more than ninety days within any one hundred eighty day period the general entry conditions for third-country nationals are the following: they are in possession of a valid travel document; they are in possession of the necessary permits for return or continued travel; they justify the purpose of entry and stay; they have accommodations or a place of residence in the territory of Hungary; they have sufficient means of subsistence and financial resources to cover their accommodation costs for the duration of the intended stay and for the return to their country of origin or transit to a third country; they have full healthcare insurance or sufficient financial resources for healthcare services; they are not subject to expulsion or exclusion, they are not considered to be a threat to public policy, public security or public health, or to the national security of Hungary; they are not persons for whom an alert has been issued in the SIS for the purposes of refusing entry.</p> <p>When the company is already officially established or the self-employment is already registered, a residence permit may be issued for the purpose of gainful employment to third-country nationals whose nature of stay is to lawfully perform work in a self-employed capacity for remuneration or to engage in any gainful activity in the capacity of being the owner or director of a business association, cooperative or some other legal entity formed to engage in gainful employment, or is a member of the executive, representative or supervisory board of such entity. In such cases the third-country national shall submit one or more of the following documents as a proof of the purpose of stay: a business plan for the economic activities; a private entrepreneurial license or a private entrepreneurial registry number; a small-scale</p>


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			<p>agricultural producer's license; a personal service contract, contract for professional services or an exploitation contract entered into as a private individual; or other reliable means.</p> <p>The purpose of entry and residence for those, whose aim is to engage in any gainful activity in the capacity of being the owner or director of a business association, cooperative or some other legal entity formed to engage in gainful employment, or is a member of the executive, representative or supervisory board of such entity, shall be considered verified if: the business association, cooperative or other legal entity established to engage in gainful operations has been lawfully employing at least three Hungarian citizens or persons with the right of free movement and residence in full time employment for six consecutive months; or the stay of the applicant third-country national in Hungary is essential for the business association, and the business plan enclosed with the application contains sufficient information to ascertain that the business association will prosper to ensure the applicant's subsistence.</p> <p>1. b) There are no geographically limited authorizations among residence documents.</p> <p>2. As long as the gainful employment is not yet started due to the ongoing official establishment of a company, no specific requirements shall be met. Yet when the third-country nationals already wishes to engage in gainful employment by ways explained above, they shall have one of the following documents: a residence permit granted on humanitarian grounds, a residence permit for the purpose of gainful employment, family reunification, studies, or an EU Blue Card. In case the third-country national holds a residence permit for other purposes, they need to ask for the change of the purpose of stay to gainful employment and consequently a new residence permit will be issued if the applicant meets the requirements specified above.</p>
	Italy	Yes	<p>1. a) Foreign nationals wishing to come to Italy to become self-employed in one of the activities provided for by the annual inflow decree must obtain an entry visa for self-employment from the Italian embassy or consulate of their own country in order to apply for a stay permit for self-employed work.</p> <p>The visa is issued within 120 days from the date of application and must be used within 180 days from the date of issue. TCNs must apply for a residence permit within eight days from entry into Italy, submitting the regular documentation (application and passport) AND proof of :</p> <ul style="list-style-type: none"> - Having suitable resources for working in the business they intend to undertake in Italy; - Meeting the requirements provided for by the Italian law for working in that business, including the requirements for registration in professional rolls or trade registers, if needed; - Having a certificate issued by the competent authority (not older than three months) stating that there are no impediments to the issue of the authorization or licence required for working in that business that the TCNs intend to undertake; - Having a suitable accommodation and a yearly income from legal sources, which may be produced outside Italy, that is in the excess of the minimum amount established by law for exemption from health service charges (€ 8,500.00), OR a guarantee by an Italian or foreign national legally staying in Italy or an Italian or foreign body. <p>b) A residence permit for self-employment purposes has a maximum duration of 2 years. It is not limited to a geographical area, being in fact valid all over Italy.</p> <p>2. a) With a stay permit for study or training</p> <p>Foreign national holders of stay permits for study or training who intend working in self-employment can request that their stay permit be</p>


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		<p>converted by applying on line to the Counter for Consolidated Procedures (Sportello Unico) for Immigration of the relative area prefecture (by the date appearing on the Inflow Decree). Applicants must follow the procedure in the www.interno.it website by filling inform (modulo) Z (verification of the quota for self-employment and certification of requisites held) or Z2 (for foreign nationals with an Italian degree or specialised degree, or foreign nationals regularly domiciled in Italy on coming of age). The Instructions for Use can be consulted on the website as can the status of one's application.</p> <p>On receiving the application, the Sportello Unico for Immigration will verify whether the applicant possesses the necessary requisites and if so, will summon him/her for a meeting. Whatever the nature of self-employment intended, the applicant must produce the following documents at this meeting:</p> <ol style="list-style-type: none"> 1. receipt of the payment of stamp duty that authorised retailers (tobacconists for example) pay on line; 2. current original stay permit for study or training of the applicant; 3. current identity document of the applicant. <p>OTHER REQUIRED DOCUMENTS</p> <p>The applicant must also produce another series of documents at the meeting that will vary in accordance with the nature of self-employment intended, as follows:</p> <p>a) entrepreneur, trader, artisan craftsman</p> <ul style="list-style-type: none"> - attestation of the parameters of reference issued by the relative Chamber of Commerce; - proof of possession of the financial resources indicated in the Chamber of Commerce attestation (for example on an Italian current bank account, a rent contract, salary for subordinated work for a maximum of 20 hours per week etc.); - if the nature of work requires qualifications, licences or authorisations, the applicant must possess the declaration of absence of impedimental reasons, issued by the proper authority (Chamber of Commerce for wholesale trading, the Municipality for retail trading etc.); - proof of having a higher income than the legal minimum for exemption from health-service contributions (8,500.00 euros, by means of a current Italian bank account). <p>b) Partner, company director or company office bearer</p> <ul style="list-style-type: none"> - declaration by the appropriate public authority attesting possession of the necessary requisites provided by Italian law for working including, where necessary, the requisites for those who intend to become partners or directors of newly - established companies or partnerships; - attestation, where required, of the parameters of reference specified by the Chamber of Commerce for the availability of financial resources required for foreign nationals intending to become partners or directors of companies or - cooperative partnerships; - copy of the articles of association of the company; - certificate of company enrolment in the Company Register, only if the company has been active for 3 years or more. (Chamber certificate); - declaration by the company's legally authorised representative that the partner, managing director or office bearer is assured a higher income than the legal minimum for exemption from health-service contributions (8,500 euros for 2008); - copy of the company's most recent year-end accounts (for a profit-making company) deposited with the Company Register in the Chamber of Commerce, or the latest tax return (for single trader), showing that the profit or income is sufficient to guarantee retribution;
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			<ul style="list-style-type: none"> - copy of the declaration of responsibility, submitted to the Provincial Employment Authority in which the legally authorised representative of the company must specify that by virtue of the contract no relationship of subordinated employment will be entered into. c) The professions <ul style="list-style-type: none"> - Proof of having a higher income than the legal minimum for exemption from health-service contributions (8,500 euros, by a current Italian bank account); - If the profession is regulated, a declaration issued by the appropriate licensing authority; - If the profession is not regulated, the qualification or professional certification and documentation for the profession carried out (curriculum, contracts, references etc.); - Copy of the VAT certificate if required to practise the profession. d) contract for practising the profession, contract for a specific project or consultancy <ul style="list-style-type: none"> - certificate that the company in whose name work is being done has been enrolled in the Company Register of the Chamber of Commerce (Chamber certificate); - employment contract which assures the self-employed worker a higher retribution than the legal minimum for exemption from health-service contributions (8,500 euros); - For project-related contracts: description or attachment of the project; - Copy of the company's latest year-end accounts (if a profit-making company) deposited with the Company Register, or the latest tax return (if a sole trader), proving that the profit or income is sufficient to guarantee retribution; - copy of the declaration of responsibility, sent to the appropriate Provincial Employment Authority in which the legally authorised representative of the company must specify that by virtue of the contract no relationship of subordinated employment will be entered into. Persons who possess other current stay permit (see list below) may also work in self-employment for as long as it is in force without converting or rectifying it: <ul style="list-style-type: none"> · Stay permit for subordinated non-seasonal employment · Stay permit for family reasons · Stay permit for "child assistance" · Stay permit for refugee · Stay permit pending employment · Stay permit for subsidiary protection <p>When these permits come up for renewal they must be converted into permits for self-employed work except for the child assistance, refugee and subsidiary protection permits. In addition to a regular stay permit, the applicant must also possess the additional documentation required by the kind of self-employed work he/she intends to do as specified in case of a stay permit for study or training). Non-EU family members of EU nationals can also do self-employed work provided they are registered in the municipality where they reside.</p>
	Latvia	Yes	<p>1. a) Business can be started on the ground of a Schengen visa issued for any reason of entry. If stay of the person does not exceed the term of validity of the visa, s/he does not require any other authorizations to carry out activities of self-employed person. During the first year after the registering of the business, the third-country national is not entitled to receive a residence permit or long-term visa unless the business gives an important benefit to state economy. If such impact can be proved, the person will be issued a long-term visa for one</p>


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			<p>year. After one year of the starting of business the applicant is entitled to apply for a residence permit if his/her business meets certain criteria related to the tax amount that should be paid during the year. Such regulation has been introduced in order to decrease the number of “fictitious enterprises” that have been registered only for a reason of receiving a residence permit. Criteria for granting a residence permit:</p> <ul style="list-style-type: none"> - company has not tax debts and has paid certain amount of taxes (the amount depends on the form of business); - a foreigner has no previous criminal punishment; - a foreigner has sufficient financial means for his/her subsistence; - in case if the business will be carried out only by the foreigner as self-employed person or individual entrepreneur, a business plan, certified by the auditor, should be submitted and the proof of financial means necessary for carrying out activities, mentioned in the business plan provided; - a foreigner has a place of residence in Latvia; - no previous illegal stay/employment; - if the foreigner will take a position of a board or council member in the enterprise or s/he will carry out his/her activities as self-employed person or individual entrepreneur, his/her salary per months should equal double average salary in the country. <p>b) No</p> <p>2. It depends on the reason of stay. If the foreigner, for example, is residing for the reason of family reunification, there are no requirements at all – s/he is entitled to start business and to carry out all necessary activities as long as they do not contradict the laws that regulate commercial issues. If the person is working in Latvia and wants to start the business additionally to the employment, s/he is free to do that, but after the registering of an enterprise, the residence card should be supplemented with the additional remark: “Business”. This is completely formal procedure, performed on the ground of simple application from the foreigner where s/he indicates the name and registration number of an enterprise. After receiving the residence permit with the remark “BUSINESS”, the foreigner is entitled to start up several commercial activities and they should not be reported to immigration authorities. As long as the previous reason of issuance of the residence permit remains as a main reason, no requirements should be fulfilled. If the previous reason will be removed and only business remains, the foreigner should meet tax criteria and double average salary criteria.</p>
	Lithuania	Yes	<p>1. a) Any non-resident third-country national wishing to receive a residence permit on the ground that he intends to engage in legal activity in Lithuania, must go in person to the consular office and submit an application for a temporary residence. Third country national, who intends to entry Lithuania to start the business, must meet these <u>specific requirements</u>:</p> <ul style="list-style-type: none"> - to register an enterprise, agency or organisation in the Republic of Lithuania as the owner or co-owner, in which the nominal value of his proportion of the authorised capital held in the enterprise must comprise not less than LTL 50 000, and his stay in the Republic of Lithuania is necessary seeking to attain the aims of the enterprise, agency, or organisation and carrying out the activities; - foreigner has to be the head or an authorised representative of an enterprise, agency or organisation registered in the Republic of Lithuania, if the principal goal of his entry is work at the enterprise, agency or organisation. <p>Third country national must also submit all required documents (such as company registration documents, document on capital, working</p>

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			<p>agreement). He also must meet all general requirements for admission (e.g. provide a document confirming that he has enough funds and (or) receives regular income, documents about a place of residence in Lithuania, health insurance, must not be included into the List of aliens refused entry).</p> <p>All documents are sent to the Migration department which evaluates them and issues a decision to issue/not issues a residence permit. After receiving the decision a third country national will be issued by the consular office a single entry national visa, arrive to Lithuania and collect a residence permit in the country.</p> <p>b) No. The initial residence permit is issued for one year and can be later replaced.</p> <p>2. If a third country national <u>is legally present in the territory of Lithuania</u> he can submit all required documents (as mentioned above) to the Migration services.</p>
	Luxembourg	Yes	<p>1. a) The third-country national must apply for an authorisation to stay from its country of origin (s/he cannot apply in the territory of the Grand-Duchy of Luxembourg) at the diplomatic mission of Luxembourg or of the Member State which represents the interests of Luxembourg in that country. An authorisation of stay for independent activity may be granted to a third-country national who wishes to exercise a non-salaried profession in Luxembourg. The following requirements have to be met:</p> <p>a. The applicant has to prove that s/he has the required qualifications to practice the activity s/he wants to develop (i.e. Commercial activities – including industrial activities-, liberal professions, and crafts sectors).</p> <p>b. The applicant must prove that s/he has adequate resources to be able to practice this activity.</p> <p>c. The activity must serve the interests of the country.</p> <p>The following documents and information must be attached to the application:</p> <ul style="list-style-type: none"> • a certified full copy of the valid passport; • a birth certificate; • a copy of the police record or an affidavit (sworn oath); • a curriculum vitae; • a business and a financing plan; • proof that the applicant has the necessary economic resources to carry out his business project; • in the case of a takeover of a business, the balance sheets and profit and loss accounts for the past three financial years; • in the case of a business subject to a business permit, he must provide the business permit application file together with any required supporting documents; • in the event of an activity subject to other authorizations, accreditation or registration, a copy thereof is also required. <p>Once the examiner considers that the application is completed, the Ministry will ask the opinion of the Consultative Commission of Independent Workers (CCTI). Normally the CCTI will analyse if the business plan is in an innovative or relevant sector for the economy or if it falls in the traditional economy (i.e. restaurant). Also, the Commission analyses the amount of the investment and the amount of jobs the enterprise will create. The residence document is granted for a maximum duration of three years, and renewable upon request for the same length of time.</p> <p>After obtaining the authorisation to stay as self-employed s/he must obtain a business permit. The business permit is only granted if:</p> <ul style="list-style-type: none"> • there is a physical installation in Luxembourg that includes an infrastructure suitable for the nature and scale of the concerned



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			<p>activity;</p> <ul style="list-style-type: none"> • effective and permanent management of the business by the business permit holder who must: • effectively manage and run the company in person, on a regular and daily basis (a distant home address could be detrimental to the application). The permanent presence of a third person, even if authorised to commit the business, is not enough to make up for the absence of the business permit holder; • be connected to the business (as an owner, associate, shareholder or salaried worker of the business); • compliance with tax and business obligations: the business manager must not have evaded business and tax obligations in his previous or current business activities, whether these activities were carried out under his own name or through a company run by said person. <p>b) There is no limitation to a geographical area. The activity is limited to the economic sector for which the authorisation of stay was issued.</p> <p>2. If the TCN is already residing in the country under a different resident permit (i.e. salaried worker, family reunification, private reasons, etc.) but does not have a long-term resident status or an international protection status, it must fulfil the same requirements mentioned above. However, the only difference is that s/he can file the application at the Directorate of Immigration in the territory before the expiration of his/her residence permit without having to return to the country of origin in accordance with article 39 (4) of the Law of 29 August 2008.</p>
	Netherlands	Yes	<p>1. a) A TCN who wants to stay in the Netherlands to start a business, may apply for a residence permit. To work in the Netherlands on a self-employed basis the TCN has to be granted permission to set up his business in the Netherlands. Furthermore, his business must serve an essential Dutch interest.</p> <p>The TCN must meet the follow conditions.</p> <ul style="list-style-type: none"> • The TCN holds a valid passport. • The TCN does not pose a danger to public order or national security. • The TCN has not been convicted for a crime and has not committed a war crime, terrorist acts, or a crime against humanity. • The TCN is obliged to take out a health insurance policy. • The TCN must under go a tuberculosis (TB) test in the Netherlands. For some certain TCN a TB test is not necessary. • The TCN must have sufficient and long-term means of support • The TCN has not previously stayed in the Netherlands illegally. • The TCN has not given false information or has withheld important information to support any previous applications. • The TCN meets the requirements for practising his profession. • The TCN business activities serve an essential Dutch interest. The IND uses a points based system (developed by the Dutch Ministry of Economic Affairs) to assess whether his business activities serve a essential Dutch interest. In general, the IND will submit his application to the Netherlands Enterprise Agency for assessment. • To work in the Dutch healthcare services the TCN has to be included in the so-called BIG register. The provision of healthcare services by individual practitioners is regulated by the Individual Healthcare Professions Act (BIG). When admitted to the BIG register


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			<p>the TCN is then able to use his legally protected professional title.</p> <p>For a free lancer, a director and major shareholder, or for US and Japanese citizens who wants to start a business there are specific conditions.</p> <p>b) No.</p> <p>2. There are several situations, but in general a TCN who is residing or staying in a Member State must meet the conditions as mentioned as above.</p>
	Poland	Yes	<p>1. a) Foreigners staying outside of Poland should get a Schengen or a national visa, if required, in order to enter Poland for the purpose of setting up a business. It is necessary to meet the general requirements for issuing a visa, including the justification of the purpose and conditions of the intended stay. The Polish visa cannot be issued due to an intention of conducting business activity unless one proves his intention and justifies his arrival in Poland. In this case, a decision to grant a visa will depend on the presented evidence of the purpose of departure and the consul will decide whether the evidence presented by a person is sufficient. Therefore, if a foreigner is staying abroad and intends to do business in Poland, but he does not yet have grounds for the stay in Poland (visa or residence permit), he can register a business via the Internet and after being entered in a central register (CEIDG), submit an application to the Polish Consulate in his country of origin for being granted a visa on the basis of conducting business activity. It is worth remembering that such a person may conduct business only in the four following forms: limited partnership, limited joint-stock partnership, joint stock company and limited liability company.</p> <p>The entry for this purpose may also take place pursuant to the visa-free traffic. The foreigner wishing to reside in the territory of Poland for a longer time, <i>inter alia</i>, for the purpose of pursuing business activity, should apply for granting a temporary residence permit, which is granted for the period of validity of up to 3 years, with a possibility of applying for subsequent permits. Granting this permit may be applied for only in the territory of Poland during the legal stay in this territory. To obtain it, a foreigner must most importantly provide:</p> <ul style="list-style-type: none"> - valid travel document, - stable and regular source of income to support yourself and your family being your dependants, - supporting documents confirming carrying out business activities, which should generate income in an amount not lower than 12-fold of the average monthly wage in the voivodeship in which this entity is established or domiciled, or employ for an indefinite time and on a full-time basis, for at least 1 year preceding the submission of the application, minimum 2 employees, or proves that it has financial means sufficient to meet in the future these conditions or is taking efforts to meet these conditions in the future, in particular ones contributing to the growth of investment, technology transfer, innovations or job creation, - health insurance, - accommodation, - if required, a consent of the competent authority to work in a certain position or in a specific profession. - confirmation of payment of stamp duty, <p>b) No.</p> <p>2. A foreigner residing in Poland and conducting business activity may apply for a temporary residence permit in Poland (see: answer to question no. 1). It is worth remembering that such a person may conduct business only in the four following forms: limited partnership,</p>


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			limited joint-stock partnership, joint stock company and limited liability company. If s/he hold one of 12 specific residence titles (<i>inter alia</i> : permanent residence permit; permit for a long-term EU resident's stay, residence permit for a specified time granted to a foreigner's family member to be united with the family, temporary residence permit in order to start or continue intramural university studies or intramural doctoral studies in Poland; temporary residence permit and have been married to a Polish national residing on the territory of Poland, international or national protection, Card of Pole) may set up and conduct business activity based on the same principles as Polish citizens. This means that they may take up and conduct each form of business activity admissible by the Polish law.
	Portugal	Yes	<p>1. a) According to the legal framework on immigration (Regulatory Decree n.º 2/2013, March 18th n.º 2 of the Article 31º “Residence visa for the exercise of independent professional activity or immigrant entrepreneurs”:</p> <p>“2 - The application for a residence visa for immigrants entrepreneurs who wish to invest or have already invested in Portugal is accompanied by:</p> <p>a) a statement that held or plans to hold an investment transaction in Portugal, indicating their nature, value and duration;</p> <p>b) Proof that made investment transactions; or</p> <p>c) Proof of having funds available in Portugal, including those obtained from a financial institution in Portugal and of the investment transaction intention properly described and identified in Portuguese territory.</p> <p>3 - The application for a residence permit referred in the paragraph above shall be appreciated having in mind the economic, social and technological relevance, scientific, or cultural investment.”</p> <p>b) No.</p> <p>2. The requirements are the same as those required to a national citizen. In Portugal a legal resident have the same rights and duties as the nationals.</p>
	Romania	Yes	<p>1. a) In Romania, establishing a commercial society is regulated by the provisions of Law 31/1990 – Law on societies, which is not differentiating between individuals having Romanian citizenship and individuals with a foreign citizenship or stateless persons. Thus, art. 7 provides for that the constitutive act of the general partnerships, of the limited partnerships and of the limited liability company will include, among others, identification data of the associates as well as the identification data of the associates who represent and administer the commercial society. For individuals, the identification data are: name and first name, personal number or equivalent, according to applicable national law, place and date of birth, permanent residence/domicile and citizenship [art. 8¹ letter a)]</p> <p>In order to establish a commercial society the alien who is abroad must be granted a short stay visa for business purposes [art. 23, para. (1) letter d) from the Government Emergency Ordinance no. 194/2002 on aliens regime in Romania, republished with further modifications].</p> <p>In case the associate or shareholder is designated to exercise the powers of management and administration wishes to set his/her temporary residence in Romania he/she must be granted a long stay visa for commercial activities. [art. 24, para (1) letter c) from the Government Emergency Ordinance no. 194/2002 on aliens’ regime in Romania, republished with further modifications].</p> <p>Long stay visa for commercial activities is granted based on a positive notification issued by the Romanian Centre for Trade and Investments for the aliens who are shareholders or associates having management or administration at commercial societies – Romanian legal persons.</p> <p>The notification of the Romanian Centre for Trade and Investments is issued in case the aliens meet the following conditions,</p>


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			<p>cumulatively:</p> <p>a) provide a business plan which contains, among others, information on: object of activity of the commercial society, investment, the estimated number of job to be created, phases for the investment process, location of the investment, investment and return of investment duration and the projection of financial activity for at least 3 years;</p> <p>b) provide the proofs of sufficient financial resources to invest - 100.000 EUR (limited liability company) or 150.000 EUR (joint stock-company) held on a bank account in Romania;</p> <p>c) the investment will be made in compliance with the business plan and will involve contributions of capital or technology with a minimum worth of 100.000 EUR (limited liability company) or 150.000 EUR (joint stock-company);</p> <p>d) the investment will create, in maximum 12 months from the date of granting the residence permit, at least 10 new jobs (limited company) or 15 new jobs (joint stock-company).</p> <p>In case of 2 or more shareholders or associates who apply for the notification, the above mentioned conditions will be analyzed for each applicant separately and the investment to be done and the number of new jobs to be created will be increased accordingly, based on the number of applicants.</p> <p>The aliens who previously obtained a positive notification may apply for a new one, in the following situations:</p> <p>a) they prove the objective impossibility to carry out the activity according to the previous business plan;</p> <p>b) they prove the finalisation of your previous business plan.</p> <p>The visa application form shall be accompanied by the following documents:</p> <p>a) the positive notification issued by the Romanian Centre for Trade and Investments;</p> <p>b) criminal record or other document with the same juridical value;</p> <p>c) medical insurance covering the period of validity of the visa;</p> <p>d) proofs for accommodation.</p> <p>The visa application shall be submitted to Romanian diplomatic missions and consular offices and is transmitted, via Ministry of Foreign Affairs, to the General Inspectorate for Immigration for endorsement, according to its competences.</p> <p>The notification issued by the Romanian Centre for Trade and Investments is valid for 6 months and its purpose is to check the compliance with technical conditions, feasibility and economic utility of the investment to be done by the alien.</p> <p>The stay on Romanian territory based on a valid visa or residence permit is not limited to certain geographical area; the aliens can move ann move and establish their residence anywhere.</p> <p>2. The conditions for establishing a commercial society are provided for by the provisions of Law 31/1990 – Law on societies, which is not differentiating between individuals having Romanian citizenship and individuals with a foreign citizenship or stateless persons.</p>
	Slovak Republic	Yes	<p>1. The purpose of stay including business has to be carried out by a third-country national only on the territory of the Slovak Republic.</p> <p>a) If a third-country national wants to do business in the Slovak Republic, an application for the residence permit for the purpose of business has to be submitted.</p> <p>The application has to include a valid passport and the following documents not older than 90 days confirming:</p> <ul style="list-style-type: none"> • purpose of stay (e.g. a business plan, or any other certificate proving trade permit or another business permit)


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			<ul style="list-style-type: none"> • document proving clear criminal record (valid in the whole territory of the country from which it is requested) • confirmation about sufficient income with respect to stay of the foreigner and his/her close persons in the territory of the Slovak Republic • confirmation about sufficient income with respect to the business activity of the foreigner • confirmation about accommodation <p>The applicant is required to pay an administrative fee (240 € at the diplomatic mission; 132.50 € in the Slovak Republic). Upon arrival in the Slovak Republic and upon receipt of the residence permit, a third-country national is obliged to submit a confirmation of the health insurance and confirmation that he/she does not suffer any illness threatening public health. If the business plan is submitted, a copy of an entry in the Commercial Register is required.</p> <p>b) No.</p> <p>2. If the third-country national does not reside in the Slovak Republic for the purpose of business, however, he/she was granted residence permit for other purposes listed below, he/she can do business under conditions stated in specific legal acts (Trade Act, Commercial Code). A third-country national with permanent residence in the Slovak Republic is according to the Trade Act considered a Slovak national. This means that after acquiring a residence permit and trade permit, he/she can do business. An entry in the Commercial register is required (except for persons with a residence permit in another EU Member State or OECD). If a third-country national holds a temporary residence for the purpose of studies or for the purpose of research and development, he/she is allowed to do business and does not need to acquire a temporary residence for the purpose of business. If a third-country national holds a temporary residence for the purpose of family reunion he/she may start doing business. However, he/she does not have this option if he/she is a dependent single child older than 18 years, under the custody of a foreign national holding a temporary/permanent residence or his/her spouse, who is not able to take care of himself/herself due to a long-term unfavourable health condition. A third-country national is also not allowed to do business in case he/she is a parent of a person who has a temporary/permanent residence or a parent of his/her spouse who is dependent on his/her care and lacks appropriate family support in the country of origin. A third-country national is allowed to do business in Slovakia without being granted a temporary residence for the purpose of business as well, in case he/she acquired a temporary residence as a third country national with acknowledged status of a Slovak Living Abroad or a temporary residence as a third country national with acknowledged long-term residence in another Union Member State.</p>
	Spain	Yes	<p>1. If the third-country national is not in the Member State:</p> <p>a) What requirements must be met by third-country nationals intending to enter the Member State to start a business?</p> <ul style="list-style-type: none"> • Pursuant to Law 14/2013: <p>Foreigners may apply for a visa to enter and stay in Spain for a period of one year with the sole or main purpose of completing the formalities to engage in an entrepreneurial activity. Holders of this visa can obtain entrepreneur residence status without having to apply for another visa and without a minimum period of prior residence being required, when they can provide evidence that the entrepreneurial activity for which the visa was requested has already actually started. Also, foreigners who are seeking entry to Spain and intend to start, carry out or conduct an economic activity as an entrepreneur may be</p>


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			<p>issued with a business residence permit, which will be valid throughout the national territory, <u>without having to obtain an additional work permit</u>.</p> <p>Entrepreneurial activity will be construed as any innovative activity of special economic interest for Spain and to that end <u>has obtained a favourable report from the Ministry of Economy and Competitiveness</u>. In the assessment, special consideration and priority will be given to job creation in Spain.</p> <ul style="list-style-type: none"> • <u>Pursuant to the provisions of Organic Law 4/2000 and its regulations:</u> Any non-resident foreign worker who intends to become self-employed in Spain must personally submit, on the official form, the application for a temporary residence and self-employment permit at the Spanish consular office according to their place of residence. They must meet the following work requirements: <ul style="list-style-type: none"> - Meet the business opening and operating requirements. - Have the professional qualifications legally required or sufficient proven experience in the exercise of the profession, and membership of a professional association when so required. - Prove that the investment planned to start up the business is sufficient and its possible impact on job creation. - Have sufficient financial resources to support themselves and to pay for accommodation. <p>b) Is the authorization limited to a geographical area?</p> <ul style="list-style-type: none"> - Any business residence permit obtained pursuant to the provisions of Law 14/2003, will be valid throughout the national territory. - Any temporary residence and self-employment permit, obtained pursuant to the provisions of Organic Law 4/2000 and its regulations, will be valid for one year and will be limited to an autonomous community geographical scope and to one sector of activity. <p>2. What requirements must be met by third-country nationals already residing or staying in the Member State who wish to start a business?</p> <ul style="list-style-type: none"> • <u>Pursuant to Law 14/2013:</u> in the event of activities of special economic interest, foreigners who hold a stay or residence permit or visa and who intend to start, carry out or conduct an economic activity as an entrepreneur may be issued with a business residence permit, which will be valid throughout the national territory. They must meet all the aforementioned residence requirements, and have sufficient financial resources. • <u>Pursuant to the provisions of Organic Law 4/2000 and its regulations:</u> in these cases the foreigner must meet the work requirements set forth in point 1, without having to obtain a visa. If they are staying in Spain (for the purpose of studies or further studies, conducting research or training or engaging in non-employment-based placements), they must have done so for a minimum period of three years. Holders of a residence permit for exceptional circumstances must have remained in this situation for at least one year.
	Sweden	Yes	<p>1. a) Self-employed people (business people) who plan to work for a period shorter than 3 months in Sweden do not need a residence permit. Depending on their nationalities, however, some may need an entry visa. A third-country national who wants to start a business in Sweden and conduct business activities for longer than 3 months needs to apply for a residence permit for self-employment purposes. In order to obtain such a permit, he/she must:</p> <ul style="list-style-type: none"> ▪ have a valid passport,

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			<ul style="list-style-type: none"> ▪ show that he/she has significant experience in his/her field and previous experience of running his/her own business, ▪ have documented knowledge in Swedish and/or English, ▪ show that he/she is running the business, that he/she has the ultimate responsibility for it and that he/she owns at least half of the business, ▪ show that the business' services or goods are sold and/or produced in Sweden ▪ show that he/she has sufficient funds to support himself/herself and, if applicable, his/her family during the first two years (equivalent to SEK 200,000 for the applicant himself/herself, SEK 100,000 for his/her spouse and SEK 50,000 for each accompanying child ▪ show that the business, following the two-year probationary period, is expected to be able to support the applicant and, if applicable, his/her family. <p>b) No.</p> <p>2. Normally, a residence- and work permit for self-employed persons must be applied for from abroad. There are, however, some exceptions to this rule. Third-country nationals who hold a residence permit for studies in Sweden and who want to start a business and apply for a residence permit for self-employed persons can do this from within Sweden when they apply for the new permit before their study-related permit expires. The requirements are basically the same as for persons outside Sweden (see question 1). Third-country nationals who are resident in Sweden on a permanent basis (permanent residence permit) can start a business under the same circumstances as Swedish nationals. They do not need a specific permission to do so, nor do they have to apply for a new residence permit. As far as other third-country nationals residing in Sweden are concerned, restrictions apply to persons holding temporary permits, e.g. persons who reside in Sweden with a temporary residence permit for employment purposes.</p>
	<p>United Kingdom</p>	<p>Yes</p>	<p>1. a) A third-country national who would like to come to the UK to start a business may be eligible to apply for a Tier 1 Entrepreneur or Graduate Entrepreneur Visa. In order to qualify for an Entrepreneur visa, the third country national must have access to at least £200,000 investment funds, or £50,000 investment funds from a specified source. Specified sources are UK registered venture capital firms, government departments or approved seed funding competitions. They must also be at least 16 years of age, meet the English language requirements, and be able to support themselves during their stay. They may be interviewed to confirm whether they genuinely have access to investment funds and intend to establish a business in the UK. After three years, applicants can apply to extend their stay. They must have invested their funds, established themselves in business, and created at least two jobs for resident workers. In order to be eligible for a Graduate Entrepreneur visa, the third country national needs to be endorsed by either a UK higher education (HEI) or by UK Trade and Investment (UKTI). In addition, they must hold a recognised bachelor's degree, master's degree or PhD, have sufficient savings to show they can support themselves during their stay, and they must meet the English language requirements. There is no requirement for investment funds at this stage. Time in this route is limited to two years. Applicants can apply to switch into the Entrepreneur route without leaving the UK. For further information on work visas please visit https://www.gov.uk/browse/visas-immigration/work-visas.</p> <p>b) The authorisation is not limited to any particular geographical area within the UK.</p>

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			2. As above.
	Norway	Yes	<p>1. a) Requirements for Norway</p> <ul style="list-style-type: none"> - aged 18 or older. - intends to engage in permanent independent business activity in Norway. - the presence of the self-employed person in Norway and active participation in running the business is necessary for the establishment or continued operation of the business. - Must be a skilled worker and the work that is to be done in the business requires the self-employed person to have qualifications as a skilled worker. - the relevant specialist authority has given its approval or authorisation in the case of occupations/professions that are subject to statutory or regulatory qualification requirements. - it is substantiated that there is a financial basis for the business. - permission/authorisation to establish the business has been granted under other legislation. - Documentation/proof must be presented to substantiate the qualifications of the self-employed person and role in the business. - an accurate description of the nature of the business, financing and budget plans, and financial statements if available, must be presented. A statement in advance to the effect that necessary permits from other authorities will be granted must also be presented. A statement regarding the financial basis for the business shall be obtained from the county municipality concerned and, if necessary, from a trade or professional organisation. - housing must be secured - subsistence (enough profit to pay necessary living expenses) must be secured through the activity (cf also financial basis above) - no reason for expulsion or rejection - foreign policy considerations or fundamental national interests should not make the rejection of a residence permit necessary (there might be other legal or policy considerations that would result in a rejected residence application) <p>b) The permit once issued, is valid for all of Norway. The permit is limited to the concrete business.</p> <p>2. Many third country nationals (TCN) already have permits which allow them to work and engage in business activity:</p> <ul style="list-style-type: none"> - TCN with a permanent residence permit - TCN with a residence permit for family reunification (with minor exceptions) - TCN with a residence permit based on protection or humanitarian reasons (with possible exceptions) - TCN with a residence card as a family member of an EEA national (exercising free movement rights) <p>If the present permit does not allow the intended business activity, a permit must be applied for as mentioned under 1 a)</p>

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