

# Global BRIEF



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## **SOUTH AFRICA: NEW IMMIGRATION REGULATIONS BECOME LAW JULY 1 2005.**

The new regulations introduce changes to the length of time it will take a foreign national to qualify for permanent resident status if married to a South African citizen to five years. This lengthening of the time period is an attempt to overcome the visa fraud that has been prevalent in South Africa.

One of the major changes that impact business immigration lawyers and their clients is the requirement for a police clearance certificate for every place that the applicant has resided for more than 12 months since the age of 18. This is a huge difference from most countries who require a police clearance certificate only for the past 5 years.

This is a problematic issue for career expatriates who have lived all over the world and who are now required to obtain certificates from every country they have resided in since the age of 18.

One of the most interesting changes in the law is the section relating to mine workers. In the event of the death of a miner, the immigration law makes provision for his replacement by a family member without too much complication around the immigration provisions of the deceased work permit.

Another provision that is noteworthy is that if a foreign worker is dismissed, he/she is not required to leave the country; they are permitted to remain in country to await conciliation at the labor department or a court hearing.

## **NETHERLANDS: CONSULATE GENERAL IN LOS ANGELES NOW REQUIRES APPOINTMENTS.**

From May 1st until August 1st, 2005 the Consulate General of the Netherlands in Los Angeles will be remodeling the office. During these months, all visitors (including passport and visa applicants) are required to schedule an appointment.

## **MALAYSIA: NEW FAST TRACK WORK PERMIT SYSTEM TO BE INTRODUCED FROM AUGUST 1 2005.**

Employers will need to submit to the Home Ministry the number of workers to be brought into the country and their names, and to pay the requisite levy and visa fees.

A new division under the Home Ministry dealing only with immigration will be created to handle this new process.

Companies would have to adhere to stringent conditions, such as a minimum capital of RM100,000, and a RM250,000 bond placed with the Government.

## **BRUNEI: GOES HIGH TECH TOWARDS E-GOVERNMENT WITH A \$4.6 MILLION CONTRACT**

The Immigration and National Registration Department plans to expand the border control by using a web-based application where the system can be accessed from anywhere.

This project also employs the 'print on immigration endorsement' method into the travel document used to enter and exit the country.

## **IRELAND: INTRODUCES U.S. STYLE "GREEN CARDS" UNDER THE EMPLOYMENT PERMITS BILL 2005**

The Bill was introduced by the Minister of Enterprise, Trade and Employment. It allows the Minister to introduce a "green-card" type system for highly skilled migrant workers.

The Bill specifically gives the Minister the power to make regulations to grant permission for non-European Economic Area (EU-25 plus Norway, Iceland, Lichtenstein and Switzerland) nationals with specified skills to reside and work in Ireland for a defined period of time.

Additionally the legislation permits the Minister every two years to:

1. to set the maximum number of employment permits to be issued both in total and by sector,
2. to identify the skills and qualifications required for the grant of a permit, and
3. to identify the categories of employment that may or may not be the subject of granting employment permits.

Currently 7% of Ireland's workforce is made up of foreign nationals.

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