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Immigration & visas**Moving to France or Switzerland? Don't forget your permit**

Sophy King, director of Knowledge Management at corporate immigration specialist Pro-Link Global, has provided the following article comparing how immigration formalities for British nationals differ between France and Switzerland.

Relocating within the European Union (EU) ought to be a lot easier than moving outside the EU – especially from an immigration point of view. Freedom of movement rights entitle British nationals to work in any EU member state without having to obtain a work permit.

Simple? Well, actually, there often are immigration formalities which need to be completed, depending on the situation.

Additionally, it's important to remember that Switzerland, Iceland, Norway and Liechtenstein are not European Union member states. These four countries are members of the European Free Trade Association (Iceland, Norway and Liechtenstein are also members of the European Economic Area; Switzerland is not) and benefit from several bilateral and multilateral agreements with the EU.

Case 1: UK national moving to France/Switzerland on assignment

France – A UK national moving to France on assignment would not be legally required to register or obtain any kind of residence permit. However, should he or she wish to do so, this is possible. The primary reason for obtaining a residence permit (*carte de séjour*) for a UK national would be to act as proof of residence in France. This might be useful if, for example, the UK national wished to apply for a business visa to a third country – many consulates only accept applications from applicants who have incontrovertible proof of their residence in the country of application.

So, if a UK national was living in France but knew that he/she would have to make several business trips to China and Russia, he/she might choose to apply for the French residence permit so that he/she could then submit the China/Russia visa applications in Paris, rather than having to return to the UK.

Switzerland – A UK national moving to Switzerland on assignment for a period of longer than eight days must apply for a work permit and a residence permit (also known as a 'registration document'). Work permits for such applicants are limited under a quota system, which is issued quarterly, so, depending on the time of year of application, there is a real chance that the permit may not be approved.

Case 2: UK national moving to France/Switzerland as a local hire

France – The same situation as above would apply; i.e. the residence permit is not required but may be obtained on an optional basis.

Switzerland – Again, a work permit is required, along with a residence permit, but, for a UK national on local Swiss contract, there is no quota system in place, and so the process is considerably less challenging.

Case 3: UK employee with US spouse moving to France/Switzerland

France – In France, the US spouse would be required to obtain a residence permit as the family member of an EU national. This can be done post arrival. The UK national would not be required to apply for a residence permit, although, as noted above, they could if they wanted to.

Switzerland – In Switzerland, the UK national would need a work permit (for assignee or local hire, as outlined above). The process for the US spouse would depend on which Canton the family was moving to. In Zurich, for example, it is now possible for non-EU family members to arrive in Switzerland on a visitor status and obtain a residence permit post arrival, with one important condition: the non-EU family member must have had a residence permit for an EU country before moving to Switzerland.

In other cantons, the family reunification process may still be required – under this process, an application on behalf of the US spouse is submitted in Switzerland (taking around six to eight weeks), the US spouse would then apply for an entry visa at the Swiss consulate in the home country, and then, post arrival, would register in order to obtain the residence permit.

Case 4: UK dependent of US employee moving to France/Switzerland

France – If the US spouse were the working partner, they would have the option of applying for their own work permit in their own right, or the residence permit as the family member of an EU national – both would allow work, and the decision would need to be made on a case-by-case basis, taking into account timing and economic factors.

Switzerland – As in France, the US employee would have the option of applying for a work permit in their own right (either as an assignee or as a local hire, as outlined above). If their UK national spouse was also planning to work in Switzerland, then the US spouse could also apply

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for residence as their dependant.

As the reader will quickly see, processes in Switzerland are considerably more complex for a UK national than processes for France. One final warning: if a UK company is sending non-UK nationals to either France or Switzerland, a whole raft of additional procedures will come into play, depending on the nationality of the employee in question. When in doubt, seek expert advice!

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