



AD HOC QUERY ON 2021.35 Digital Nomad Visas

Requested by EMN NCP Latvia on 25 May 2021

Responses from Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden (21 in Total)

Disclaimer:

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1. Background information

Latvia is considering introducing teleworking for third-country nationals or the so-called “nomad visa”, which would allow staying in Latvia for up to one year, obtaining a long-term visa and performing work remotely in one's previous country of residence or citizenship.

Considering the fact that some European Union Member States have already introduced similar regulations, Latvia would highly appreciate the opportunity to get acquainted with the experience already gained and the identified risks.

We would be very pleased, if you have an opportunity to submit your response by June 15.

2. Questions

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1. Is it possible in your country to obtain a long-stay visa or residence permit for third-country nationals who intend to work remotely in their country of nationality or former residence?

Available choices: Yes (please indicate the date of implementation of the regulation); No, but there is a plan (discussion) to introduce such a regulation; No, and the introduction of such a regulation is not currently being discussed.

2. If you answered "Yes" to question 1, please describe briefly a) the criteria according to which the requests of persons are evaluated (for example, whether there are certain professions that are subject to this regulation, what is the amount of necessary financial resources, etc.) b) type of a document certifying the right of residence (visa or residence permit) and for how long it is issued and whether persons who have received a residence document are given access to the national labor market and/or other benefits.

3. If you answered "Yes" to question 1, please describe: what is the approximate number of applications received since the introduction of this regulation and what are the top nationalities of applicants?

4. If you answered "Yes" to question 1, please describe: what benefits and risks have you identified in the current framework?

We would very much appreciate your responses by **22 June 2021**.

3. Responses

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¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

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		Wider Dissemination ²	
	EMN NCP Austria	No	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further.
	EMN NCP Bulgaria	Yes	<ol style="list-style-type: none"> 1. No, and the introduction of such a regulation is not currently being discussed. 2. N/A 3. N/A 4. N/A
	EMN NCP Croatia	Yes	<ol style="list-style-type: none"> 1. Yes (please indicate the date of implementation of the regulation); 2. A DIGITAL NOMAD IS a third-country national who is employed or performs work through communication technology for a company or his own company that is not registered in the Republic of Croatia and does not perform work or provide services to employers in the Republic of Croatia. <ol style="list-style-type: none"> a) Application and temporary stay Application can be submitted online. It will be forwarded to the competent police administration/station

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."

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			<p>according to the location of intended stay in the Republic of Croatia.</p> <p>The application can also be submitted to the competent authority depending on whether a third-country national is or isn't required to hold a visa to enter the Republic of Croatia.</p> <p>Application and documentation</p> <p>Copies of documents should be submitted in the Croatian or English language.</p> <ol style="list-style-type: none">1. If submitting an application in person, fill in Form 1a (bilingual form) The following should be enclosed to the application:2. copy of a valid travel document (period of validity of a travel document must be three months longer than the period of validity of intended stay)3. proof of health insurance (travel or private health insurance must cover the territory of the Republic of Croatia)4. proof of purpose (contract of employment or other document proving that the person performs work through communication technology for a foreign employer or his own company which is not registered in the Republic of Croatia), that is<ul style="list-style-type: none">• statement from the employer or third-country national (as proof that the person performs work through communication technology), and• contract of employment or service contract with a foreign employer, or• copy of the registration of his own company and proof that he performs the said tasks through his own company5. proof of means of subsistence during his stay in the Republic of Croatia, TCN can submit a bank statement or proof of regular income. Pursuant to the Regulation on the manner of calculating and the amount of means of subsistence for third-country nationals in the Republic of Croatia (Official Gazette no. 14/21), which entered into force on 13 February 2021, third-country nationals who are regulating their temporary stay as digital nomads are required to have the amount
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			<p>corresponding to at least 2.5 average monthly net salaries paid for the previous year, in accordance with the official data published by the Croatian Bureau of Statistics. This amount is increased by 10% of the average monthly net salary for each additional family member or life partner or informal life partner. Currently, the amount required on a monthly basis is a minimum of HRK 16,907.50. More precisely, for intended to stay in the Republic of Croatia for 12 months, TCN needs to prove that he/she has a minimum of HRK 202,890.00 available.</p> <p>6. proof that he/she has not been convicted of criminal offences from his/her home country or a country in which he/she resided for more than one year immediately before arriving in the Republic of Croatia.</p> <p>7. provide address in the Republic of Croatia</p> <p>b) Temporary stay is granted for up to a year (possibly even less) and it cannot be extended. A new application for regulating a stay of digital nomads can be submitted 6 months after the expiry of the previously granted temporary stay of digital nomads. Residence permit is issued.</p> <p>c) A DIGITAL NOMAD IS a third-country national who is employed or performs work through communication technology for a company or his own company that is not registered in the Republic of Croatia and does not perform work or provide services to employers in the Republic of Croatia. Having in mind the definition, TCN-digital nomad has no access to labour market. However, there are benefits attached to this status; namely regarding tax benefits. it was necessary to determine the tax treatment of income of digital nomads, and the Law on Amendments to the Income Tax Act (Official Gazette, No. 138/20) prescribes a tax exemption for income that digital nomads will receive in order to facilitate their decision on the choice of the Republic of Croatia as their place of residence and work. Also, a digital nomad is not obliged to submit an application for compulsory health insurance, but then he is obliged to bear the costs of using health care in a health institution, ie with a private practice health worker or other health care provider in Croatia.</p> <p>3. 105 applications (31 granted). Top nationalities include USA; GB and Russia.</p>
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			<p>4. The scheme was promoted via Ministry of tourism: https://hrturizam.hr/predstavljena-web-stranica-za-digitalne-nomade-croatia-your-new-office/. Online application form was developed: https://digitalnomadscroatia.mup.hr/Pages/Zahtjev Mol had dedicated website space regarding the residence status of digital nomads with all information: https://mup.gov.hr/aliens-281621/stay-and-work/temporary-stay-of-digital-nomads/286833 A project by the Dubrovnik city authorities and the local tourism office, called "The Dubrovnik digital nomad-in-residence", as part of which Dubrovnik played host to ten digital nomads from different parts of the world over the past month, was completed; https://mint.gov.hr/news-11455/the-dubrovnik-digital-nomad-in-residence-project-completed/22482</p>
	EMN NCP Cyprus	Yes	<p>1. No, and the introduction of such a regulation is not currently being discussed. 2. N/A 3. N/A 4. N/A</p>
	EMN NCP Czech Republic	Yes	<p>1. No, and the introduction of such a regulation is not currently being discussed. 2. N/A 3. N/A 4. N/A</p>

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	<p>EMN NCP Estonia</p>	<p>Yes</p>	<p>1. Yes (please indicate the date of implementation of the regulation);</p> <p>2. Since 01.07.2020, a visa for teleworking or a 'Digital Nomad Visa' (DNV) may be issued to a third country national (TCN) whose purpose of temporary stay in Estonia is to perform work duties in Estonia as a location-independent employee or an entrepreneur, who has a business/company registered abroad or a freelancer providing services to contract based clients from abroad. General information is available here: https://e-resident.gov.ee/nomadvisa/</p> <p>a) For the purposes of Aliens' Act, a location-independent employee is a TCN whose work does not depend on location and who uses telecommunications technology to perform work duties as telework and who continues:</p> <ol style="list-style-type: none"> 1) employment for the benefit of an employer registered in a foreign state with whom he or she has a contractual relationship; 2) business activities for the benefit of a company registered in a foreign state in which he or she has a holding; 3) the provision of services mainly to customers whose place of business is in a foreign state and with whom he or she has a contractual relationship. <p>Digital nomads need to provide evidence their income met the minimum threshold during the six months preceding the application. Currently, the monthly income threshold is €3504 (gross of tax). Otherwise, usual visa requirements apply. Including having a proof of an insurance policy valid in Schengen countries for the entire duration of stay and documents proving sufficient means to cover accommodation and subsistence (116,8 € for each day in Estonia).</p> <p>b) A short-stay (C-visa) or long-stay visa (D-visa) may be issued to an alien for the performance of telework. It is intended for TCNs, whose (primary) employer or customer base is not located in Estonia. Consequently the visa is not intended for providing access to the national labor market. However, it does not preclude that some customers may be located in Estonia. TCN is expected to have a valid insurance policy during their stay. A foreigner staying in Estonia on a DNV can also work for an Estonian company / employer, but the main purpose of their trip must be carrying out remote work as specified in their application, i.e. that they can work independently of their location with the help of telecommunications technologies and fit within one of the three eligibility categories set out above. For example, an IT specialist who works for a foreign employer and stays in Estonia on a DNV may do additional work for an Estonian</p>
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			<p>company as an IT specialist. As this is an additional employment, registration of short-term employment and payment of the average salary in Estonia is not required.</p> <p>3. As of 01.06.2021, there have been 93 applications and 65 visas have been issued. Top nationalities of applicants have been USA, Russia and Canada.</p> <p>4. Benefits: DNV reflects the changes in the world of work by creating a legal basis of stay for workers, who engage in telework and whose primary employer or business activity takes place abroad. These types of work arrangements are increasingly common in ICT sectors, whose workers are targeted through different talent attraction activities in Estonia. Teleworkers were not previously covered by the Aliens' Act, prompting them to use other types of visas (primarily tourist visas) and thus causing visa misuse. The creation of this new type of visa created a legal framework to accommodate such workers and combat misuse. DNV is also seen as a tool for attracting ICT talent to Estonia, facilitating knowledge transfer and creating added value to the Estonian business environment, including the startup ecosystem.</p> <p>Risks: The main risks are linked to non-purposeful use of visa, for example, misusing DNV to work primarily for a local employer without fulfilling the usual requirements. To avoid risks, a digital nomad must fulfill the criteria outlines in question 2a, provide a proof of sufficient means of subsistence for the duration of the intended stay and for the return to the country of residence. Necessary background checks will be also conducted to ensure that there is no danger of illegal migration or a threat to security and public order.</p>
	EMN NCP Finland	Yes	<ol style="list-style-type: none"> 1. No, but there is a plan (discussion) to introduce such a regulation; 2. - 3. - 4. -

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	EMN NCP France	Yes	1. No, and the introduction of such a regulation is not currently being discussed. 2. 3. 4.
	EMN NCP Germany	Yes	1. No, and the introduction of such a regulation is not currently being discussed. 2. n/a 3. n/a 4. n/a
	EMN NCP Hungary	Yes	1. No, and the introduction of such a regulation is not currently being discussed. 2. N/A 3. N/A 4. N/A
	EMN NCP Ireland	Yes	1. No, and the introduction of such a regulation is not currently being discussed. Answer is No. No further detail.

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			<p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p>
	EMN NCP Latvia	Yes	<p>1. No, but there is a plan (discussion) to introduce such a regulation;</p> <p>2. N/a</p> <p>3. N/a</p> <p>4. N/a</p>
	EMN NCP Lithuania	Yes	<p>1. No, but there is a plan (discussion) to introduce such a regulation;</p> <p>2. N/A</p> <p>3. N/A</p> <p>4. N/A</p>
	EMN NCP Luxembourg	Yes	<p>1. No, and the introduction of such a regulation is not currently being discussed.</p> <p>2. N/A.</p>

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			<p>3. N/A.</p> <p>4. N/A.</p>
	EMN NCP Netherlands	Yes	<p>1. No, and the introduction of such a regulation is not currently being discussed.</p> <p>2.</p> <p>3.</p> <p>4.</p>
	EMN NCP Poland	Yes	<p>1. No, but there is a plan (discussion) to introduce such a regulation; No, and the introduction of such, or similar regulation is not currently being discussed. The scope of the inquiry is not within the competencies of the Ministry of Economic Development, Labour and Technology, as it concerns the issuance of residence permits allowing foreigners to work in another country of a previous stay. In Poland, the documents allowing access to the labor market are issued in connection with work that is supposed to be performed in Poland. Teleworking performed by a foreigner on the territory of Poland for an employer operating abroad should not justify issuing a visa to perform work. There are currently no plans to change this policy.</p> <p>2.</p> <p>3.</p> <p>4.</p>

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	EMN NCP Portugal	Yes	1. No, and the introduction of such a regulation is not currently being discussed. 2. NA 3. NA 4. NA
	EMN NCP Slovakia	Yes	1. No, and the introduction of such a regulation is not currently being discussed. 2. NA 3. NA 4. NA
	EMN NCP Slovenia	Yes	1. No, but there is a plan (discussion) to introduce such a regulation; 2. / 3. / 4. /

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	EMN NCP Spain	Yes	1. No, but there is a plan (discussion) to introduce such a regulation; 2. 3. 4.
	EMN NCP Sweden	Yes	1. No, and the introduction of such a regulation is not currently being discussed. 2. 3. 4.
