



# Work and residence permit in Switzerland



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Switzerland is a beautiful country with a strong economy and a high standard of living. Given these factors, it's not surprising that many people would like to move to Switzerland. However, the Swiss migration law is one of the strictest in the world, and many requirements and formalities must be fulfilled to move to Switzerland.

## Dual system

The Swiss dual system is aimed at attracting foreign workers into the country and has two parts. The first part regulates the recruitment of nationals from the European Union (EU) and/or the European Free Trade Association (EFTA). As a rule, they are free to come to Switzerland to look for work for up to three months. This period may be extended to six months.

The second part covers citizens from all other countries (so-called "third states"). Nationals of these countries must have a guaranteed employment contract with an employer as well as a work visa before entering the country. Having a job offer does not in itself guarantee a work permit.

## Types of permits

**Short-term residence permit L** – issued for a stay of up to one year. However, an L-permit may be renewed for an additional year (i.e. 2 years in total) only once. Short-term residence permits are usually granted for study (including as an internship), medical treatment, employment, and employment of third-country nationals within the framework of annual quotas. Short-term L residence permits for third-country nationals are subject to a quota.

**G-permit** – to work in Switzerland for nationals of neighbouring countries (e.g. France, Germany, Italy) who cross the Swiss border every day to work. To obtain a G-permit, it is necessary to have a work contract with a Swiss company and to live in a neighbouring country.

**B-permit** – is granted for a longer period than the L. To obtain this residency right for non-EU/EFTA citizens you must have a certain type of job or business in Switzerland. It is only possible to obtain a Swiss work permit for positions that require considerable skills and/or experience. For example, these include IT specialists, financiers with many years of experience, biologists and chemists from a very narrow specialization.

**Permanent residence permit C** – is granted for an indefinite duration but must be formally renewed every five years. Holders of C-permits enjoy the same economic rights as Swiss citizens, but the permit may be revoked or withdrawn under certain circumstances. To obtain a C-permit for non-

EU/EFTA citizens through the general procedure, an applicant must have legally resided in Switzerland for 10 years with no interruptions during the last 5 years. However, some stays in Switzerland do not count toward the time limit. Additionally, the applicant must have no grounds for revoking the permit, such as a criminal record in Switzerland or abroad. In special cases, an applicant may be eligible for a C-permit after only 5 years of legal residence in Switzerland if they have successfully integrated.

**Students' residence permits** – are generally issued to people under 30 years old and have a maximum duration of 8 years. Students can work up to 15 hours per week. Some nationalities are closely monitored due to past abuses. Third-country nationals must receive discretionary approval and may be denied if their intentions are suspicious.

**Swiss residence permit as a pensioner** – retirees over 55 may apply for a Swiss residence permit. However, receiving it is rare due to restrictive jurisprudence, and each case should be carefully examined and optimized by a lawyer.

**Residence permit for setting up a company/firm/business** – a residence permit in Switzerland for business purposes, you need to present a detailed business plan and show that your activity will benefit the Swiss economy. It's a challenging process that requires extensive preparation with economists and lawyers, and the business must be genuine. Approval of the permit is influenced by the policies of the canton where you plan to operate.

**Residence permits for wealthy foreigners** – are possible at the discretion of the migration authorities. It is decisive to convince the canton that the applicant's future residence is beneficial for the canton's tax revenues. The conditions are determined on a case-by-case basis with the cantonal authorities.

**S Status** – Switzerland now offers S-status to Ukrainian immigrants, providing work opportunities in various fields and access to higher education, along with health insurance and social security benefits. However, Swiss migration laws constantly evolve, so staying informed is crucial. For a successful move, it's important to be prepared and aware of your rights and obligations.

**SMART-compliance GmbH** can help with the migration process and provide support at every stage.

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