

29<sup>th</sup> Jan 2019

## NEWS ALERT – UAE – IMMIGRATION

### Implementation date (Feb 3<sup>rd</sup>, 2019) for the issuance of long-term visa announced

#### 1. Background:

As part of the resolution in May 2018, and subsequent to the UAE Cabinet’s approval of the comprehensive long-term visa system for investors, entrepreneurs, specialised talents and outstanding students in November 2018 - also covered in our [November news alert](#) - the implementation date has now been announced as February 3, 2019 along with the formation of two committees to evaluate eligible candidates.

#### 2. Facts:

##### a) Implementation Date

Starting from February 3<sup>rd</sup>, 2019 the UAE will begin to accept application for long-term visa for investors, entrepreneurs, specialised talents.

On January 17<sup>th</sup>, 2019 the UAE government already granted the first 20 permits of long-term visas to the winners and finalists of the first and second editions of the Mohammed bin Rashid Medal for Scientific Excellence. The names were announced last week and included nineteen professors and one Senior Consultant from a UAE University, all of whom were leaders in their fields and resident in the UAE.

##### b) Committees for investors and entrepreneurs/ specialised talents

The two newly -formed Committees for investors and for the other categories (specialised talents and entrepreneurs) are expected to form part of the responsible authority to adjudicate applications.

##### c) Eligibility requirements

The eligibility is linked to a set of minimum requirements for each category. We covered the categories and requirements in detail in our [November news alert](#). Below is a brief summary of the minimum requirements. Additional basic requirements such as health insurance coverage and medical fitness test will also be part of the supporting documentation.

Category	Requirements	Issuance period	Sponsorship
<b>Investors</b>	<p><b>Property investors:</b> wholly owned property worth at least 5 mil. AED</p> <p><b>Investors:</b> wholly owned investment of at least 10 mil. AED</p>	<p><b>Property investors:</b> Five years</p> <p><b>Investors:</b> Ten years</p>	<p>1. Dependents</p> <p>2. Executive director and one advisor (subject to approval).</p>

MENA LEGAL is a member of B&A Swiss Association with offices in

Abu Dhabi • Amman • Amsterdam • Barcelona • Bangkok • Beijing • Berlin • Bucharest • Cairo • Casablanca • Doha • Dubai • Fujairah • Gibraltar • Hong Kong • Johannesburg • Limassol • London • Miami Beach • Milano • Moscow • Munich • Muscat • New York • Orlando • Paris • Port Louis • Ras Al Khaimah • Riyadh • Sharjah • Turin • Valletta • Victoria • Zurich

<b>Entrepreneurs</b>	Previous project with a minimum of 500,000 AED or approval of an accredited business incubator in the UAE.	Five years (with possibility for upgrade to investors visa subject to approval)	<ol style="list-style-type: none"> <li>1. Dependents</li> <li>2. partners and three executive directors (subject to approval)</li> <li>3. One domestic helper</li> </ol>
<b>Specialised Talents</b>	Specialized talents and researchers in the fields of science and knowledge <b>and</b> creative individuals in the field of culture. Valid employment contract in a specialized field of priority for the UAE. Proof of extraordinary qualifications or exceptional achievements defined by the Cabinet.	Ten years	<ol style="list-style-type: none"> <li>1. Dependents</li> <li>2. One domestic helper</li> </ol>
<b>Students</b>	Outstanding students with grades of at least 95% in secondary schools, and a distinction of at least 3.75 GPA upon graduation from universities within and outside the country.	Five years	<ol style="list-style-type: none"> <li>1. Dependents</li> </ol>

### 3. Considerable factors in practice and outlook

With the implementation of the new visa category the UAE government aims to create an encouraging environment for the growth of business for investors, entrepreneurs and professional talents. Although the cabinet listed the requirements for each category, the devil is in the detail.

#### a) Lengthy application process expected

It is expected that the application process will be a lengthy process, requiring additional supporting documents (e.g. investors: proof of wholly owned funds and investment retention of at least 3 years etc.).

The requirement for entrepreneurs for receiving approval from an accredited business incubator means that the applicant first would have to complete the process of applying for a start-up business licence with the listed incubators. This additional step makes the process even lengthier and difficult, considering there are only a handful of accredited business incubators in the UAE.

#### b) Decision process

Adjudication of application will vary on a case by case basis. For instance, it remains to be seen, in which case a research work of a specialist will be considered as “major scientific research” and in which case not, and if a strict guideline will be adopted for officials for determining the term “major research” or other discretionary terms.

The project value requirements for entrepreneurs of half a million, also leaves room for interpretation and discretion. It is unclear whether start-ups would need to prove the same value amount for their future business approved by the accredited business incubator.

**c) Implementation of a limited quota**

Since the investor and entrepreneur visa categories aim to improve the current entrepreneurial environment in the UAE, one is drawn to the conclusion whether in the future the Cabinet will consider an approval process subject to a quota or certain cap, based on an overall stringent review and detailed study issued by the Ministry of Economy on the UAE business ecosystem and environment.

MENA LEGAL will remain attentive to the evolution of the process and keep you informed and would be happy supporting you obtaining the respective visa through our experienced immigration and visa team and tackle any practical obstacles.

**For more information, please contact: [info@mena-legal.com](mailto:info@mena-legal.com)**

Dr. Alexander Brexendorff  
Managing Partner



Mrs. Karin Luzolo  
Legal Consultant



Dr. Alexander Brexendorff is an entrepreneur/owner and managing director of various legal, business, sports and Fintech consulting companies in Europe and the Middle East. He is as well the founder and head of the board of the Zurich and Dubai based international business and legal Swiss Association Brexendorff & Associates / MENA LEGAL.

Karin Luzolo is a German certified lawyer with over seven years of legal work experience with renowned Law firms. Areas of her experience included strategic and compliance advisory in Immigration and citizenship law and EU-law and Data protection law.

## ABOUT MENA LEGAL

MENA LEGAL™ represents a global network of consulting firms and professionals structured as a Swiss Association, which provide a wide range of services on "one-stop-shop" basis to international corporations, small and medium sized companies and individuals.

Its members and individual experts have in-depth experience in matters of legal, tax, business consulting, accounting, property consulting, project finance and recruitment services, mainly with a focus on the markets of Europe, the Middle East, North Africa and beyond.

With over 30 years of personal and professional experience our members provide comprehensive and competent advice related to the business environment in various parts of the world, but also provide advice to regional entrepreneurs with respect to opportunities and legal matters in Europe, the Middle East, North America and Asia. With member offices in Germany, Italy, France, the Netherlands, USA, United Kingdom, Switzerland the United Arab Emirates, Egypt, Jordan and Saudi Arabia, along with associated partners in various other countries, our members are positioned to offer hands-on support and on-the-ground services on a regional basis.

### **Our focus is on advising the following business sectors:**

- ✓ Real Estate and Construction (FIDIC)
- ✓ Engineering and Architecture
- ✓ Car manufactures and Supply Industries
- ✓ Logistics and Aviation
- ✓ Oil & Gas and Mining
- ✓ Petrochemicals
- ✓ Fintech and Blockchain
- ✓ Renewable Energy and Environmental Technologies
- ✓ Security and Defence
- ✓ Hotels and Leisure Properties
- ✓ Pharmaceutical and Biotechnology
- ✓ Education, Sport and Events

### **With the following services:**

- ✓ Allocating local partnerships and project finance opportunities
- ✓ Joint-Venture arrangements
- ✓ Agency and Representation Agreements
- ✓ Advice regarding doing business under international sanctions
- ✓ Corporate set-up
- ✓ Immigration services
- ✓ Foreign Investment laws
- ✓ Oil & Gas contracts
- ✓ Mergers & Acquisitions
- ✓ Commercial litigation and arbitration
- ✓ Real Estate development and acquisitions
- ✓ Construction and infrastructure projects
- ✓ Public procurement and tendering procedures
- ✓ Local and cross-border taxation
- ✓ Accounting services
- ✓ Labour law
- ✓ Inheritance law and wills