

Table II.A1.1b. **Self-employed/Entrepreneurs: permits** (cont.)

FRANCE	GERMANY		GREECE
"Exceptional economic contribution" residence permit	Residence permit for the purpose of self-employment: to set up a business (Residence Act, Section 21)	Residence permit for the purpose of self-employment: to work on a free-lance basis as writers, artists, performers, consultants etc. (Residence Act, Section 21, para. 5)	Residence permit for the purpose of exercising an independent economic activity (Basic Immigration Law No. 3386-2005, Art. 24)
No	No	No	No
Temporary: 10 years.	Temporary: max. 3 years.	Temporary: 2 to 3 years, renewable.	Temporary: 2 years, renewable indefinitely for further 2 year periods.
<ul style="list-style-type: none"> ● Non-compliance with initial permit conditions; ● Failure to make investment in first year, or failure to respect schedule of business plan; ● Investment capital shown to derive from illicit activities. 	n.a.	n.a.	<ul style="list-style-type: none"> ● Required funds not transferred and made available for the activity; ● Change of activity or movement to another prefecture (purpose of stay may change after 1st renewal); ● Failure to meet tax and social obligations.
After 10 years on the permit.	When the planned activity has been successfully realised.		General EU rules.
<ul style="list-style-type: none"> ● Meet initial requirements; ● Proof of language knowledge; ● Commitment to the respect of French republican values. 	<ul style="list-style-type: none"> ● Planned activity successfully realised; ● Maintenance funds secured. 		
n.a.	Yes (from employment and study): same requirements as for a first admission.	Yes (from employment and study): same requirements as for a first admission.	No
May apply for a long-term visa for visitors following the accompanying family procedure.	Family members can enter the country with the principal applicant or join later (general requirements for family reunification).	Family members can enter the country with the principal applicant or join later (general requirements for family reunification).	Under general rules for family reunification.
No			
n.a.	3 677 (total for both the categories)		600
n.a.	China; United States; Russian Federation; Japan; Korea (2009).	United States; Australia; Japan; Ukraine; Canada (2009).	n.a.

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Table II.A1.1b. **Self-employed/Entrepreneurs: permits** (cont.)

		IRELAND	ITALY	JAPAN
Programme		Business Permission	Permit for the purpose of exercising an independent economic activity (Decreto Legislativo 286/1998, Art. 26)	Status of residence Investor/Business Manager
Permits	Quota	No	Yes: in 2010, 4 000, of which 1 500 for conversion of study permits and 1000 for Libyan citizens.	No
	Initial	Temporary: 1 year, renewable indefinitely for further 1 year periods (depending on business success).	Temporary: 2 years, renewable.	Temporary: max. 3 years, renewable for further 3-year periods (depending on investment and job creation).
	Conditions for permit withdrawal	<ul style="list-style-type: none"> ● Failure to comply with tax requirement (including P60 for all employees); ● Failure to justify valid work permits for employees. 	n.a.	<ul style="list-style-type: none"> ● Failure to comply with admission requirements.
	Permanent Residence	General EU rules.	General EU rules.	Under general rules.
	Conditions for permanent residence			
Change of status	Possibility/conditions	Yes: same requirements as for a first admission.	Yes (from employment and study): same requirements as for a first admission, but set-aside quota for students.	Yes: same requirements as for a first admission.
Family members	Permit	Included in the application of the principal applicant.	Under general rules for family reunification.	Family members may apply for a separate permission (status of residence "Dependent").
	Work and study rights	No		No
Number of permits issued in 2008	Total	47	4 967	919
Main origin countries (all programs 2008)		n.a.	n.a.	Korea; United States; China; Chinese Taipei; Pakistan.

Table II.A1.1b. **Self-employed/Entrepreneurs: permits** (cont.)

KOREA	NETHERLANDS	NEW ZEALAND	NORWAY
Business Investment visa D8 for entrepreneurs/managers	Residence permit for labour as self-employed	Long Term Business Visa/Entrepreneur and Entrepreneur plus visas under the Business category	Residence permit for self-employment
No	No	No	No
Temporary	Temporary: 5 years	Temporary:9+27 months (3 years) Can be renewed only one time for further 3 years, then must change visa category.	Temporary: 1 year, renewable.
n.a.	n.a.	LTBV is meant to lead to PR under the Entrepreneur category; if conditions for the latter are not met after 6 years the visa expires.	n.a.
	After the expiry of the first permit (5 years).	After 2-6 years on the LTBV (Entrepreneur visa) .May apply immediately for Entrepreneurs plus visa if criteria are met.	May be granted after 3 years on the temporary permit.
	<ul style="list-style-type: none"> Same criteria as for first admission; Maintenance funds secured. 	Since 2009, either an "Entrepreneur visa" for most cases where the originally approved (or subsequently authorised) business is successfully established under an initial business visa; or the "Entrepreneur plus visa" for successful LTBV businesses with ≥ NZD 500 000 invested and ≥ 3 full-time jobs for NZ residents created.	Continue to meet the requirements for first admission.
n.a.	Yes (from employment and study): same requirements as for a first admission.	Yes (from employment and study): same requirements as for a first admission under LTBV.	Yes (from employment and study): same requirements as for a first admission.
Eligible for an accompanying visa (D8).	Included in the application of the principal applicant.	Included in the application of the principal applicant (but separate permits).	Included in the application of the principal applicant.
No	No	Yes	n.a.
n.a.	50	380 (Program year 2008-09, Entrepreneur category).	2 932 (1998-2008; include 2 807 residence certificates to EEA).
n.a.	United States; Canada; India; Turkey.	United Kingdom; Korea; China; Fiji; India.	Poland; Germany; Netherlands; United Kingdom; Lithuania.

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Table II.A1.1b. **Self-employed/Entrepreneurs: permits** (cont.)

		POLAND	PORTUGAL	SPAIN
Programme		Residence permit to conduct an economic activity beneficial to the national economy	Residence permit for an independent professional activity according to law 23/2007, Art. 60	Residence permit for self-employment (<i>autorización de residencia temporal y trabajo por cuenta propia</i>)
Permits	Quota	No	No	No
	Initial	Temporary: max. 2 years, renewable indefinitely.	Temporary: 1 year, renewable indefinitely for 2-year periods.	Temporary: 1 year, renewable indefinitely for 2-year periods.
	Conditions for permit withdrawal	<ul style="list-style-type: none"> ● The activity is not beneficial to the Polish economy; ● The activity fails to provide a stable and regular source of income (maintenance). 	n.a.	<ul style="list-style-type: none"> ● Failure to comply with tax and social obligations; ● Conditions for delivery of the first/former permit no more in place; ● The activity has failed – since its first year - to provide the applicant sufficient income for maintenance.
	Permanent Residence	General EU rules.	General EU rules.	General EU rules.
	Conditions for permanent residence			
Change of status	Possibility/conditions	No	Yes (from study): same requirements as for a first admission.	No
Family members	Permit	Under general rules for family reunification.	Under general rules for family reunification.	Under general rules for family reunification.
	Work and study rights			
Number of permits issued in 2008	Total	1 162 (include investors).	n.a.	516
Main origin countries (all programs 2008)		Viet Nam; Ukraine; Armenia; China.	n.a.	China; Morocco; Argentina; Colombia; Ecuador (over the period 2004-09).

Table II.A1.1b. **Self-employed/Entrepreneurs: permits** (cont.)

SWEDEN		SWITZERLAND	UNITED KINGDOM
Residence permit to start and operate a business (business owner)	Residence permit to start and operate a business (self-employed)	Residence permit for the practice of an independent economic activity	Tier 1 Entrepreneur subcategory
No	No	Yes: permits for independent economic activity issued within cantonal quotas for admission of third-country nationals.	No
Provisional: valid for 1 year at a time for the 2-year probationary period		Temporary: 2 years, renewable indefinitely.	Temporary: 3 years, renewable for further 2 years.
<ul style="list-style-type: none"> ● The activity doesn't provide the applicant with sufficient maintenance funds; ● The activity hasn't been started; ● The business has not been registered. 		<ul style="list-style-type: none"> ● The expected positive effects of the proposed business for the Swiss economy have not been realized in the 2-year period. 	<ul style="list-style-type: none"> ● Investment not realized; ● Business not registered within 3 months of entry; ● Entrepreneur not actively engaged in the business; ● Failure to create 2 full-time jobs for at least 12 months.
May be granted after the 2-year probationary period.		Under general rules.	After 5 years.
<ul style="list-style-type: none"> ● Prove that the business is running according to the reported plans; ● Maintenance funds secured through the business activity. 			
Yes (from employment and study): same requirements as for a first admission; foreign students must have reached 30 higher education credits (one term) or have completed one term of research education at institutions of higher education.		Yes (from study): proposed activity has major scientific or economic interest and serves fundamental scientific research or the implementation of new technologies; meet requirements for a first admission.	Yes: must meet the requirements for Tier 1 entrepreneur subcategory.
Family members can apply for residence permits.		Under general rules for family reunification.	As for dependants of a Tier 1 PBS Migrant.
No			Yes
104		n.a.	n.a.
China; Iran; Turkey; Russian Federation; United States.		n.a.	n.a.

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Table II.A1.1b. **Self-employed/Entrepreneurs: permits** (cont.)

		UNITED STATES			
Programme		EB-5 residence visa	EB-5 residence visa for investment in a Targeted Employment Area (TEA)	EB-5 residence visa pilot	EB-5 residence visa pilot in a TEA
Permits	Quota	Yes: yearly maximum of 10000 EB-5 visa.	(within general quota).	3000 EB-5 visa set-aside yearly for pilot project.	(within quota for EB-5 pilot).
	Initial	2-year conditional permanent resident status ("green card"); for the conditions on residency to be removed must file a second application within the 90-day period preceding the second anniversary of admission as conditional permanent resident.			
	Conditions for permit withdrawal	In the 2-year period following the admission as conditional permanent resident: <ul style="list-style-type: none"> ● The new commercial enterprise was not created; ● Required investment of funds in a new commercial enterprise was not made; ● Funds were not maintained at risk in the new commercial enterprise; ● The investor was not involved in the management of the new commercial enterprise; ● The required number of jobs have not been created and are not expected to be created in a reasonable period of time. 			
	Permanent Residence	After 2 years.			
	Conditions for permanent residence	Conditions on permanent status removed (see above).			
Change of status	Possibility/conditions	n.a.			
Family members	Permit	Included in the application of the principal applicant			
	Work and study rights	Yes (after the 2-year conditional period)			
Number of permits issued in 2008	Total	427 (includes 304 new arrivals and 123 adjustments; includes 49 EB5 visas granted under the general program and 378 pilot and TEA programs).			
Main origin countries (all programs 2008)		n.a.			

Table II.A1.1b. **Self-employed/Entrepreneurs: permits** (cont.)

UNITED STATES (cont.)	
E-1 visa (Treaty trader) , based on a Treaty of Commerce and Navigation (non immigrant visa status) according to INA, 101(a)(15)E	E-2 visa (Treaty investor) , based on a Treaty of Commerce and Navigation (non immigrant visa status) according to INA, 101(a)(15)E
No	No
Temporary: 2 years, renewable indefinitely	
No (Non immigrant visa).	
Not applicable.	
No	
Family members may receive derivative visas in order to accompany the principal applicant.	
Spouses may apply for employment authorisation.	
	28 588
n.a.	n.a.

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Table II.A1.2. Investors

		AUSTRALIA	CANADA	FRANCE	GREECE	
Programme		Investor (subclass 132) under the Business Skills category	State/Territory Sponsored Investor visa (subclass 165)	Investor (one of three Business Class sub-categories)	"Exceptional economic contribution" residence permit	Yes (Basic Immigration Law 3386/2005)
First introduced in				1986 (ref. 2010)	2009	
Admission Requirements	Investment capital	AUD 1.5 million in Australian state treasury bonds.	AUD 750 000 in Australian state treasury bonds.	CAD 800 000 (to be paid to Citizenship and Immigration Canada (CIC)).	EUR 10 million directly, or through a corporation of which the applicant controls at least 30% or manages.*	EUR 300 000
	Min. Duration	4 years	4 years	5 years	No	No
	Min. net Worth	AUD 2.25 million (combined assets of applicant and his/her partner)	AUD 1.125 million (combined assets of applicant and his/her partner)	CAD 1.6 million	No	No
	Experience	≥ 1 year (in last 5) maintaining an investment of AUD 1.5 million or managing a qualifying business in which the applicant and partner had ≥ 10% ownership.	≥ 1 year (in last 5) maintaining an investment of AUD 750 000 or managing a qualifying business in which the applicant and partner had ≥ 10% ownership.	2 years (in the last 5) managing and controlling a qualifying business/ managing 5 full-time employees in a business.	No	No
	Age	< 45	< 55 but regional authority sponsor may grant exception.	Yes (under points system)	No	No
	Language Knowledge	No	No	Yes (under points system)	No	No
	Min. number of jobs to be created	No	No	No	No/≥ 50 to be created/ maintained in French enterprises in France (alternative to the requirement on capital).*	No
	Involvement in business	No	No	No	Not necessary	No
	Other		Be sponsored by a State/Territory.	Score = 35 points on a selection grid assessing age, education, business experience, language ability, adaptability.	*Exceptions made if business considered a local priority (e.g. to prevent closure); Applicant must submit a calendar of investment operation and expected job creation.	The investment must have positive effects on the Greek economy.
Restrictions		No	Reside in the sponsoring State/Territory for at least 2 years.	Applicant cannot place or manage the capital invested. He/she pays the investment to CIC. CIC distributes it to the participating Provinces and Territories and repays it after 5 years without interest.	Not applicable to EU or Algerian citizens.	No

Table II.A1.2. **Investors** (cont.)

KOREA			MEXICO	NEW ZEALAND		POLAND	PORTUGAL	UNITED KINGDOM
F5 residence visa ("foreign high investor"*)	F2 residence visa (regional programme for investors)	G1 visa (regional programme for investors)	Permiso de inmigrante inversionista extranjero	Investor programme under the Business category	Investor plus programme under the Business category	Residence permit to conduct an economic activity beneficial to the national economy	Residence permit for investment according to law 23/2007, Art. 60	Tier 1 Investor subcategory
	01/02/2010	01/02/2010		1999 (ref. 2002, 2005, 2007, 2009)	1999 (ref. 2002, 2005, 2007, 2009)		2007	2009 (previously Investor Scheme)
USD 500 000	USD 500 000	USD 200 000	No	NZD 1.5 million	NZD 10 million	No	No	GBP 750 000
No	No	No	No	4 years	3 years	No	No	3 years
No	No	No	No	NZD 1 million to settle in New Zealand (transfer not required).	No	No (general requirement of secured financial funds for maintenance)	No	GBP 1 million or GBP 2 million net personal assets <i>and</i> GBP 1m in loans under control.**
No	No	No	No	3 years business experience	No	No	No	No
No	No	No	No	≤ 65	No	No	No	No
No	No	No	No	Yes (IELS min. overall score 3)	No	No	No	Exempt from Tier 1 requirement.
5	No	No	No	No	No	No (see below: "other")	No	No
Not necessary	No	No	No	No	No	Not necessary	Not necessary	No
				Be healthy and of good character.	Be healthy and of good character.	Evaluation according to benefit of activity for Polish economy (investment growth, technology, innovation, job creation), especially income generated, taxes paid, job creation.	prior investment in Portugal; or proof of financial means in Portugal (incl. loans from a Portugal bank) and demonstrated intention to invest in Portugal.	Assessment under Tier 1 of the points-based system: must score 75 points, including sufficient disposable funds in the UK. Exempt from maintenance requirements.
	Investment in recreational facilities (condominiums, resorts, villas, etc.) in Jeju special self-governing province.		Foreigners cannot invest in certain sectors (energy; communication technology; postal services; banks; public transport), and their investment in others is limited to a fixed percentage of ownership.	Acceptable investment: <ul style="list-style-type: none"> • Bonds (of NZ government/local authority, or NZ firms in the NZDX or, NZ firms with BBB rating); equity (in NZ firms, public or private, including management funds); or currency (NZD invested in lawful enterprises or managed funds). • Produces commercial return and contributes to economy. • Not for personal use, not in residential property or deposit-taking financial institutions. 			No	Investment in UK Government bonds or share or loan capital in active and trading UK registered companies excl. those investing principally in property.

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Table II.A1.2. **Investors (cont.)**

		AUSTRALIA		CANADA	FRANCE	GREECE
Permits	Initial	Provisional: 4 years		Permanent residence	Temporary: 10 years, renewable	Temporary: 3 year, renewable indefinitely for 3-year periods
	Conditions for withdrawal of permit	<ul style="list-style-type: none"> ● Failure to inform Department of Immigration and Citizenship of any change of circumstances. ● Significant change of circumstances (ex. leave the sponsoring State). 		See below: conditions for permanent residence.	<ul style="list-style-type: none"> ● The investment was not made in the 1-year period following the permit delivery, or was not realised following the time schedule of the business plan; ● Investment capital is proved to come from illicit activities. 	<ul style="list-style-type: none"> ● The investment was not made or there was no progress after 1 year (the Ministry of Economy and Finance informs the Ministry of Interior which take the withdrawal decision).
	Permanent Residence	After 4 years on the provisional visa. (two-stage visa)		Immediately.	After 10 years.	
	Conditions for permanent residence	<ul style="list-style-type: none"> ● Fulfil requirements of the provisional visa; ● Acceptable business record; ● Residence for 2 out of 4 years; ● Commitment to maintain investment in Australia. 		General residency requirement of 2 out of 5 year presence to status.	<ul style="list-style-type: none"> ● Meet initial requirements; ● Proof of language knowledge; ● Commitment to the respect of French republican values. 	
Family members	Permit	Included in the permit of the principal applicant, although applicant must enter before dependents; applicant may not marry between receiving visa and entry to Australia.		Included in the permit of the principal applicant.	May apply for a long-term visa for visitors following the accompanying family procedure.	As for family reunification conditions but exempted from waiting period.
	Work and study rights	Yes		Yes	No	No
Number of investor permits issued in 2008	Total	12 (program year 2008-09)	472 (program year 2008-09)	10 197 persons (2 831 primary, 7 366 family)	n.a.	1 (in the period 2006-09)
Main origin countries (all programs 2008)		Chinese Taipei, Malaysia, United Kingdom, Singapore, South Korea (over the last 10 years).		China, Chinese Taipei, South Korea, Iran, Egypt.	n.a.	Ukraine.

Notes to Tables II.A1.1a, II.A1.1b and II.A1.2.

AUSTRIA: *Family members can get *Niederlassungsbewilligung-unbeschränkt* (access to work) after one year of residence, if the spouse of parent, has the permit *Niederlassungsbewilligung-unbeschränkt*.

CANADA: *In order to be admitted in Canada under the Entrepreneur subclass, applicant is required to have experience in a qualifying business abroad. For this purpose it is considered a qualifying business a business: whose main purpose was not to derive investment income, such as interest, dividends, or capital gains; and for which, during the year under consideration, there is documentary evidence of any two of the following: the percentage of equity multiplied by the number of full-time job equivalents is \geq two full-time jobs equivalents per year; the percentage of equity multiplied by the total annual sales is \geq CAD 500 000; the percentage of equity multiplied by the net yearly income is \geq CAD 50 000 and the percentage of equity multiplied by net assets at the end of the year is \geq CAD 125 000.

Once admitted entrepreneurs must operate a qualifying Canadian business. It is considered a qualifying Canadian business a business whose main purpose is not to derive investment income, such as interest, dividends, or capital gains; and for which there is in any year within the period of three years after the day the entrepreneur becomes a permanent resident documentary evidence of any two of the following: the percentage of equity multiplied by the number of full-time job equivalents is \geq two full-time jobs equivalents per year; the percentage of equity multiplied by the total annual sales is \geq CAD 250 000; the percentage of equity multiplied by the net yearly income is \geq CAD 25 000 and multiplied by the net assets at the end of the year is \geq CAD 125 000.

Table II.A1.2. **Investors** (cont.)

KOREA			MEXICO	NEW ZEALAND		POLAND	PORTUGAL	UNITED KINGDOM
Permanent	Permanent (without conditions)	Temporary (long-term)	Temporary: max. 1 year, renewable indefinitely.	4 years conditional residence.	3 years conditional residence.	Temporary: max. 2 years, renewable.	Temporary: 1 year, renewable for 2-year periods.	Temporary: 3 years, renewable for further 2 years.
				<ul style="list-style-type: none"> Funds were not transferred; Funds were not placed in an acceptable business. (requirements checked after 2 years) 			n.a.	<ul style="list-style-type: none"> Investment was not realised within 3 months of entry the UK; Investment is not maintained in the same capacity for the whole period.
Immediately	Immediately			After 4 years	After 3 years	Under general rules	Under general rules	After 5 years
				<ul style="list-style-type: none"> Initial requirements fully met; Residence requirement (146 days in each of the last 3 years of the 4-year investment period). 	<ul style="list-style-type: none"> Initial requirements fully met; Residence requirement (73 days in each of the last 2 years of the 3-year investment period). 			<ul style="list-style-type: none"> Investment maintained throughout the whole period of the leave in the same capacity; English language and life test.
Eligible for accompanying visa (D8).	Accompanying family members receive F1 (visiting or joining family) status.		General conditions for family reunification.	Included in the permit of the principal applicant.	Included in the permit of the principal applicant.	General conditions for family reunification.	General conditions for family reunification.	As for dependants of a Tier 1 PBS Migrant, but exempt from proof of maintenance funds.
No	No	No		Yes	Yes			Yes
n.a.	n.a.	n.a.		33 (all programmes; program year 2008-09)	n.a.	1161 (including entrepreneurs, excluding EU)		79 (under the previous scheme)
				Great Britain, China		Viet Nam, Ukraine, Armenia, China		Russian Federation, China, Australia, India, United States.

KOREA: *F-5 visa can be granted also to "foreigners of superior ability in specified fields".

NEW ZEALAND: *A business is considered of potential benefit for New Zealand if it promotes NZ economic growth by means of technological innovation; introduction of new products or services; trade expansion; employment creation; revitalisation of an existing business; successfully established business in NZ = applicant has established/purchased made a substantial investment in a business operating in New Zealand; been self-employed in this business for two years; created economic benefit for New Zealand.

UNITED KINGDOM: *Previously Business persons and Innovation schemes. **Investment capital must be held in regulated UK financial institution and disposable in the UK. In the case of loans, capital must be loaned by a regulated UK financial institution and disposable in the UK.

UNITED STATES: *Following the INA, 101(a)(15)(E) "substantial trade" for E-1 purposes is the continuous flow of goods or services between treaty countries that involves numerous transactions over time. The smaller businessman is not excluded if he can demonstrate a pattern of transaction of value. Income derived from the international trade must be sufficient to support the treaty trader and family.

