

IMPROVEMENTS IN RESIDENCY PROCEEDINGS IN URUGUAY

The last decade has seen record numbers of foreigners wishing to move to Uruguay. The reasons for this may vary: some look to live in a stable and relatively prosperous country, where they can find a good place to settle and raise a family, since Uruguay provides them with comfortable lifestyle, with nice and relatively safe neighborhoods, good schools and medical care. Others may take into account that Uruguay has investment opportunities, providing special benefits and the same tax treatment as Uruguayan nationals, as well as having a good system to develop business. Other important factors are our country's social and political stability, its strong democratic tradition and that it allows foreigners who want to invest with an entrance point to the Mercosur.

Taking into account this scene and also the great increase in the number of applications, the Uruguayan government has come to the conclusion that it needs to speed up and simplify the residence process.

There is still a lot of work to be done and improvements needed to be made in the system, but from our experience, we think that proceedings at the Immigration Office have changed for good and a lot of improvements in the procedure for filling an application can be seen.

The downside to date has been longer turnaround times at the Immigration Office, with proceedings taking at 18 - 24 months. But it is no longer necessary to queue up for hours outside the Immigration Office in the cold and wet before it actually opens in order to get one of a limited number of tickets to be able to start proceedings. Now in an amazing technical development you can use the phone to book your appointment. The internet would still appear to be an unknown concept to the Immigration Office, but perhaps in a few years' time it will even be possible to book over the web!!

Whatever, the telephone system represents a vast improvement and it is now possible to get an appointment within one to two weeks of booking.

Another improvement at the Immigration Office is the "Rapid Response System" for permanent residence applications. This means that applicants can book their appointments and start the residence application by just paying for the proceedings and presenting an id photo, and completing the forms. Then they will have time to present the rest of the documents required by the office in order to proceed with the application. This system allows applicants to start the application as soon as possible, without having to present all the documents and it is even possible to get the Uruguayan provisional ID card (cedula) for a period of two years.

For temporary residence proceedings these benefits are not applicable, because in order to apply, applicant's need to have all the required documents at the time of applying.

Since October 2014 another development in the residence process took place. As a result of a new law that has been passed, Law no.19.254, the Immigration Office is no longer handling permanent residence applications for citizens from Mercosur countries and most other South American countries, and also for those applicants that have Uruguayan family members or partners.

The Immigration Office only handles permanent residence applications from citizens that are not members of Mercosur or certain South American countries, and all type of temporary residence applications (Mercosur and the common temporary residence applications).

Permanent residence applications by citizens of the Mercosur and certain South American countries, and by applicants that have Uruguayan family members or partners are handled instead by the Foreign Affairs Office.

The proceedings there are much easier, and once the application has been filed, residence is granted in no more than three months. Apart from this, there are also a lot of benefits for applicants in relation to the formal requirements in order to obtain residence. They do not have to present documents to prove income, they do not have to present a health id card, they just need to present a non-criminal record. Furthermore, the proceedings are free of charge!

The only disadvantage is that in order to apply applicants need to get an appointment in advance. They can do this by phone or by the Foreign Affairs Office web page, but appointments are currently being given for 6 months in advance.

In order to conclude, we think that progress has been made in this field, and of course there are a lot of changes that still need to be made. The Immigration Office is still being very strict in controlling the actual intent to reside of the applicant, and the time that the applicant is actually in the country, so this may complicate some applications and create delay in proceedings. In the meantime, the changes in practice that we have mentioned give foreigners a lot of benefits.

For applicants for countries requiring a visa it has now become quite difficult to get this even for a tourist visa. In the light of the growth of ISIS and recent terrorist attacks in the developed world it is likely that our authorities actually increase the controls made on people from those countries wishing to move to Uruguay. So Uruguay will not be an oasis for refugees as much of Europe now

is, but at the same time it hopes to maintain its reputation as the safest country to life in in South America.

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