

WORK VISAS FOR URUGUAY

Introduction:

The first point to make is that Uruguay does not actually have work visas as such or indeed offer different types of visa. For those nationals of countries which do not need a visa, they are free to come into the country, whether their intention is to come as tourists or to work or to study etc. For those from countries which require a visa they must apply to the relevant Uruguayan consulate. They will have to show a copy of the job offer, but will then be given a visa in a standard format which will entitle them to enter the country within 90 days.

Once a person has entered the country and wants to start work, then there are several possibilities in order to work legally. The option to be taken depends mainly on the length of time they will be in the country and they are as follows:

Provisional Identity Card:

This is a temporary form of ID card which is for temporary workers coming into the country for up to 6 months. No extensions of that period of time are available. It is a very simple process to get this form of ID and one can even apply for it before actually arriving in the country. In general it takes about 10 days for the application to be dealt with and approved – if all the necessary documents are correct.

The most important requirement is that the employee must have a job offer from a Uruguayan company or from a foreign company with a registered Uruguayan subsidiary in which it sets out details of the job being offered and most importantly must specify the start and end date (with a maximum of 180 days working). The letter must be signed by the employer and accompanied by a notarial certificate confirming that the company is legally in existence and that the person signing has the appropriate authority to sign.

In addition the employee must bring a certified and legalized/apostilled copy of their birth certificate.

This type of ID is the most similar document which Uruguay has to what could be considered a working visa in other countries. With this document it is possible for the company to register the employee with the relevant local authorities – social security and labour ministry – and in this way the employee can work completely legally.

But as per the above it is only applicable to short term contracts.

Temporary Residence:

For workers coming to the country for between 6-24 months, it is possible to apply for temporary residence and this in turn can be extended for a further period of up to 2 years.

Again it is a relatively straight forward process which takes around 2 months to complete. There are different requirements for Mercosur nationals and Non-Mercosur

nationals. The difference between the two is that Mercosur nationals do not need to show any proof of income, just their birth certificate and a police record report.

Non-Mercosur applicants must show that they have means to support themselves. In the case of somebody coming here with a specific job offer, then the requirement is to show the terms of that job offer, as per the provisional identity card above, together with the notarial certificate.

One point to note is that for employees who wish to bring their personal belongings with them, then they can bring them, but must pay a customs bond based on the approximate value of those goods and this bond is unreturnable – even when they leave and take all their belongings with them.

The advantage of obtaining temporary residence status is that one gets a full Uruguayan ID card (cedula) and that the process is easy and quick. One can also subsequently apply for a change of status to permanent resident if the employee wants to stay for longer.

Permanent Residence:

As of 2 years ago there are different procedures for Mercosur and Non-Mercosur nationals. This was because the delays at the Immigration Office were becoming unduly long just to get an appointment to apply. So it was decided to have a different, fast-track procedure for Mercosur nationals whereby they would file for residence at the Foreign Affairs Office, rather than the Immigration Office. Unfortunately this “fast-track” procedure has proved so popular that it is now taking even longer for Mercosur applicants to get an appointment date than non-Mercosur applicants at the Immigration Office. It is currently impossible to even get a date for Mercosur applicants as the 2017 diary is already full and the 2018 diary has not been opened yet. The problem is that the Foreign Office does not have the resources to deal with the large number of applicants (applications have increased from 613 in 2014, 6919 in 2015 up to 8098 in 2016).

Once one can get a date though the procedure is simpler and easier than that for Non-Mercosur applicants – at present it takes about 4 months to deal with an application and no proof of a source of income is required.

For Non-Mercosur applicants the procedure is first to make an appointment at the Immigration Office which currently takes around 4 months to get and then if there are no objections an application will be approved in a minimum of 8-12 months. This is a big improvement over the last few years (mainly because the Mercosur applicants have been moved to the Foreign Office), since it used to take at least 2 years and often a lot longer if the documents were not in order.

For Mercosur nationals who need to get an ID card and cannot afford to wait indefinitely for an appointment, the best solution available at present is to apply for temporary residence at the Immigration Office, as per the previous section. Many

people are having to do this at the present time, which is now leading to increasing backlogs again at the Immigration Office.

The documentary requirements for permanent residence are detailed in many publicly available websites, e.g. the Uruguayan Foreign Affairs Office:

<http://www.mrree.gub.uy/frontend/page?1,embajada-eeuu,ampliacion-servicios-al-ciudadano,O,en,0,PAG;CONC;435;5;D;information-about-permanent-residence-in-uruguay;9;PAG;>

Conclusion:

Uruguay continues to be a country where it is possible to come to live and work with relatively few restrictions. There are no quotas at all, in total or for particular business sectors. The number of people coming to the country for work or other reasons is growing, particularly from the Mercosur countries, a number of which are experiencing a large degree of economic and social turmoil. This is causing problems in terms of the lack of additional human resources needed to deal promptly with applications. It is to be hoped that the public authorities will address this issue in the near future.

DR MARK TEUTEN/DRA MARIA VICTORIA ANGULO

TEUTEN ABOGADOS

© MARCH 2017