

Global Immigration alert

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Georgia

Georgia introduces new visa for remote workers and clarifies work authorization requirements

Executive summary

Georgia recently enacted significant amendments to several key immigration rules. These changes introduce a new visa category for remote workers, clarify the conditions under which foreigners may engage in professional activities without a work authorization, and expand the scope of application and issuance procedures for several immigration documents.

Background

Georgia has been actively reforming its immigration framework through recent amendments, which affected the legal status of most foreign workers. While the new legislative framework introduced updated rules governing work authorization and visa and work residence permit requirements for foreign nationals, several issues remained unresolved and required clarification.

Key developments

Recent amendments clarified that foreign nationals may perform work or provide services from Georgia without work authorization for non-resident employers or service recipients, as long as their activities relate to the non-resident employers' operations outside Georgia.

Additionally, work authorization requirements do not apply to foreign nationals who perform work entirely remotely for a local employer, provided that such activities do not require their entry into Georgia.

The amendments introduced a new short-term ordinal visa (Type C5) tailored for remote workers. The Type C5 visa is valid for five years and allows holders to stay in Georgia for up to one year for tourism purposes within the validity period. During their stay, holders may engage in work solely on behalf of non-resident employers, provided these activities are connected to the non-resident employers' operations outside Georgia. The visa can be obtained by the principal applicant as well as for their spouse and minor children and can be

requested through the designated electronic portal of the Ministry of Foreign Affairs of Georgia. The issuance of the visa will be limited to citizens of certain countries, which will be confirmed later by a government decree.

The amendments further clarify that foreigners engaged in managerial or executive roles, or as members of audit committees within enterprises that meet certain asset, income and employee number thresholds as defined by accounting and audit laws of Georgia, will be exempt from work authorization requirements. The government is expected to issue an ordinance to provide further clarity on this matter.

They also establish that foreign nationals do not require work authorization if they carry out short-term professional activities as defined by the government of Georgia within the framework of a temporary visit, provided these activities are linked to specific short-term projects. The government is expected to issue an ordinance to provide further clarity on this matter.

These changes further harmonize immigration procedures by adjusting documentation requirements and related administrative processes to ensure consistency across various legal frameworks surrounding immigration.

Impact on employers

Non-Georgian employers may have more flexibility under the new migration law, especially since some activities outside Georgia no longer need work authorization. However, they still need to regularly review the status of their foreign employees in Georgia to stay compliant. This includes verifying whether specific activities may be considered as "not related to business operations within Georgia" and therefore exempt from work authorization.

Employers may also remain abreast of ongoing developments, review and update their internal policies and processes, and evaluate their current talent pipelines to plan for future needs and to mitigate delays and business disruptions.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

Tato Chantladze

Partner, People Advisory Services/Tax Advisory Services
Tel: +995 322 15 88 11
Email: tato.chantladze@ge.ey.com

Tina Kachakhidze

Senior Manager, People Advisory Services/Tax Advisory Services
Tel: +995 599 24 55 56
Email: tina.kachakhidze@ge.ey.com

Zakaria Shvelidze

Senior Manager, Legal Practice
Tel: +995 (32) 215-88-11
Email: Zakaria.Shvelidze@ge.ey.com

Ben Willis

Partner, EY Global Immigration Competency Lead
Tel: +44 20 7951 9589
Email: ben.willis@uk.ey.com

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