



GLOBAL IMMIGRATION UPDATE

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Country Updates:

CANADA – Canada plans to close the federal Investor Program.

CUBA – Cuba suspends consular services in the United States, but reopens immigration talks.

FRANCE – President François Hollande introduced a series of measures to enhance the attractiveness of France. Also, a judgment of the EU Court of Justice aligns the status of a French national's spouse or partner with that of a family member of an EU citizen when back in France after the couple's effective movement from another member state.

TURKEY – The new "Law on Foreigners and International Protection" (Law No. 6458) takes effect April 12, 2014.

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Country Updates

CANADA

Canada plans to close the federal Investor Program.

On February 11, 2014, Canada's Economic Action Plan (EAP) announced the government's intent to terminate both the Federal Immigrant Investor Program (IIP) and Federal Entrepreneur Program (EN). In doing so, it plans to eliminate several thousand backlogged applications.

The IIP and EN programs have been cornerstones of Canada's business-oriented immigration programs. In 2011, approximately 10,000 immigrants entered Canada through the IIP, while almost 1,000 entered through the EN.

Although the programs have been longstanding business immigration programs, in recent years they suffered from significant backlogs in processing. Investors, for instance, had to wait at least 54 months for visa issuance, while many entrepreneurs faced even longer processing times.

The current inventory of backlogged applications for the IIP stands at 65,000. Citizenship and Immigration Canada (CIC) anticipates that it would take more than six years to process these cases. To move forward with programs that will more accurately capture the types of investors needed in Canada, CIC has decided to eliminate many of the files currently in the backlog.

However, to date, no official announcement has been made as to which applications will be processed and which applications will be returned to the applicants.

CIC pointed out in its press release that the minimum investment amount for IIP applicants, which is \$800,000, is significantly lower than that of investor programs in countries such as the United Kingdom, Australia, and New Zealand. It also noted that investors who arrive in Canada are likely to pay lower taxes than immigrants who come to Canada through programs such as the Federal Skilled Worker Program.

In its backgrounder, CIC explained:

The existing IIP is of limited economic benefit to Canada. There is very little "new" money coming into Canada. Almost all initial investments made through the program come from loans from Canadian banks to provincial governments.

The amount of IIP capital actively invested in economic development initiatives has been disappointing. The requirement for provinces to guarantee repayment of IIP investments after five years limits their ability to invest funds into more high-risk initiatives that tend to reap greater rewards for Canada in terms of true innovation and job creation. Fifteen years after provinces and territories were factored into the equation, less than half of the funds are actively invested.

By doing away with the current IIP and EN programs, the government will "pave the way for new pilot programs that will actually meet Canada's labour market and economic needs." These pilot programs will enable Canada to remain competitive in the global economy.

CIC mentioned that the pilot programs will complement the Start-Up Visa program, a former pilot program that is now a permanent part of Canada's immigration system. Two programs have already been mentioned as replacements for the IIP and EN streams. One will be a new Immigrant Investor Venture Capital Fund and the other a new Business Skills Program.

Details of the new pilots will be announced in the coming months.

The Canadian province of Québec manages its own Investor Program, which requires net assets of at least CAD \$1.6 million legally acquired, management experience, and a no-interest loan of CAD \$800,000 made to Québec for a five-year period. The Québec Investor Program remains open to French-speaking applicants who have an advanced intermediate level of French as evidenced by a recognized French test.

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CUBA

Cuba suspends consular services in the United States, but reopens immigration talks.

Following M&T Bank's pull-out from Cuba, which it said was for business reasons, the Cuban

government has suspended consular services in the United States except for "humanitarian cases." Cuba said it had tried but failed to find a new bank due to the trade embargo. More than 40,000 people travel from the United States to Cuba each month, on average. The Cuban Interests Section in Washington, DC, handles consular services.

Meanwhile, Cuba and the United States have announced reopening of talks on immigration services. The European Union (EU) has also agreed to negotiate with Cuba on the possibility of restoring full bilateral relations. The EU-Cuba talks are expected to include trade, investment, and human rights issues.

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FRANCE

President François Hollande introduced a series of measures to enhance the attractiveness of France on February 17, 2014, at the "Strategic Council for Attractiveness." Also, a judgment of the EU Court of Justice aligns the status of a French national's spouse or partner with that of a family member of an EU citizen when back in France after the couple's effective movement from another member state.

New measures introduced by President Hollande. The new measures introduced by President Hollande, designed primarily to attract foreign capital, also introduce advances in immigration policy to attract international talent, strengthen the status of foreign students in France, and address social issues. The measures include:

Creation of a "talents passport" residence permit: valid for four years, renewable, to be issued to qualified young graduates, researchers, investors, corporate officers, and highly skilled workers. This measure is expected to be implemented by 2015.

Facilitating access to employment for foreigners whose professional stay in France is less than three months: the temporary work permit will be replaced by a system of prior declaration.

Facilitating business travel: entrepreneurs who regularly come to France for economic exchanges may have long-term visas for five years. In addition, visas for foreign businesspersons will be issued within 48 hours, as compared to several weeks currently. This measure is expected to be extended to tourists from emerging countries, and is already the case for Chinese nationals.

Facilitating the reception of foreign students in France: students will receive a residence permit, valid for at least the duration of the studies pursued. In addition, students with a master's degree should be able to obtain, by a simplified process, an authorization to stay one year to find a qualified job corresponding to their university studies. The steps to change to working status should thus be facilitated. Finally, the government will provide for a further simplified procedure for master's students with a particular profile of excellence.

Signing new social security agreements with emerging countries: France signed agreements with Brazil and Uruguay that should come into force quickly. The government will also sign a social security agreement with China and plans to begin negotiations with Mexico later this year.

Providing for easy installation in France of foreign start-ups: the French government wants to help foreign start-ups in France. Also, foreign start-ups will have a single point of contact for their efforts, the "French Tech Help Desk." Moreover, the "French Tech Ticket" will allow an ambitious entrepreneurial project, if selected, to receive financial assistance of € 25,000. In addition, foreign subsidiaries of large groups that would settle in France will be eligible for assistance from the public investment bank.

Judgment of EU Court of Justice. A judgment of the Court of Justice of the European Union (EU) on March 12, 2014, aligns the status of the spouse or partner of a French national with that of a family member of an EU citizen when back in France after the couple's "effective movement" from another member state.

An effective movement or stay occurs when the French national returns to France after having spent at least 3 consecutive months in another member state. Shorter stays, such as weekends and vacation periods that total 3 months or more are not considered an effective movement or stay.

Directive 2004/38/EC provides a derived right to reside in France for third-country family members of an EU citizen who has exercised his or her right to free movement. Conversely, the spouse or civil partner of a French national who is sedentary (i.e., has not exercised the right to free movement) is not covered by the Directive. Consequently, such spouse or partner receives less favorable treatment under French national law. This discrimination, called "reverse discrimination," is an obstacle to the free movement prohibited by EU law when it discourages an EU citizen from returning to his or her country of nationality when his or her third-country spouse or partner may encounter difficulties in obtaining resident status.

The EU Court of Justice deepened this reasoning in its judgment of March 12, 2014. It held that any EU citizen having developed or strengthened a family tie with a third-country national on the occasion of an effective stay in a host member state may obtain a derivative right to stay for his or her third-country family members when he or she returns to settle in the member state of his or her nationality. Such latter state cannot then apply a less favorable regime to the third-country spouse or civil partner as would have been permitted under Directive 2004/38/CE.

Although in practice it is too early to comment on the practical application of this case law at the Prefectures, this case makes the point that third-country spouse or civil partner of a French citizen returning to France enjoys the same benefits as the family member of any EU citizen moving to France. While the third-country spouse/partner of a French national currently must obtain a long-stay visa before entering France, he or she should be exempt. Such spouse/partner, currently receiving a residence permit of 1 year, should receive a residence permit of 5 years, renewable.

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TURKEY

The new "Law on Foreigners and International Protection" (Law No. 6458) takes effect April 12, 2014.

This new law will make vast changes to residence permit eligibility and procedure, as well as in visa and immigration processing. Unfortunately, the Turkish Ministries of Interior, Labor, and Foreign Affairs have released little clarification on implementation. As of late March, queries to the Interior Ministry offices indicated that the Ministry is not prepared to implement all the changes listed below.

A sample of the procedural changes include application of the 90-of-180-day rule to be extended to business visitors, the requirement that passports expire no earlier than 60 days past the validity of the visa sought, and proof of medical and financial support while in Turkey. Also, sticker visas obtained at the border will be replaced by an electronic visa system for eligible visitors. Substantive changes include new harsher procedures and penalties for deportation and a ban on re-entry of foreigners who are out of status or not abiding by the terms of their stay. The law requires the creation of a new Immigration Administration General Directorate within the Ministry of Interior.

The most significant changes will be with regard to residence permits, as described below:

Residence permits as of 90 days: Residence permits are no longer required unless the person remains in Turkey 90 days or more (certain restrictions apply). Previously a permit was required once a person was in Turkey 30 days or more.

Ministry of Labor to issue work permit inclusive of the residence permit: The new version of the work permit will also substitute for a residence permit in Turkey. At this point, it is not clear when the Ministry will start issuing the new version of the work permit. In the meantime, clients must be prepared to file for a residence permit as usual until further notice.

New residence permit categories and filing for most types of *initial* residence permits at consular posts: The new law outlines several new residence permit categories and will require that almost all *initial* residence permits be filed via a consular post outside of Turkey, not domestically at the police office. These residence-permit categories include but are not limited to:

- Initial dependent residence permit (now also including dependent adults)
- Initial tourist residence permit
- Residence permit based on possession of immovable property
- Residence permit based on "establishing a business or commercial connections"
- Residence permit based on participation in an "in service training program"
- Long-term residence permit

Consular posts have not yet released information on the procedures or evidence necessary to file these residence permit applications. It is also unclear if the previous domestically filed initial residence permit categories will still exist after April 11, 2014 (e.g., initial dependent residence permit, funds-based residence permit).

Significant changes in residence permits for dependents: As mentioned above, there are changes in the requirements for dependent residence permits as well as a new category for adult dependent residence permits. The new law also will require a showing that the sponsoring working principal spouse (or Turkish citizen spouse) has had no record of a "crime against family" in the previous five years. It also states that the principal spouse must show appropriate accommodation for the dependents.

This article does not include information on all changes the law proposes, but focuses on the ones most applicable to corporate immigration/global mobility of employees. Again, there are no details yet available on the manner and timing of implementation of the new law.

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UNITED KINGDOM

Various developments have been announced.

Immigration Minister Announces Changes to Immigration Rules

On March 13, 2014, the Immigration Minister, James Brokenshire, announced the following changes to the Immigration Rules before Parliament:

- The **Exceptional Talent visa route** will become available to leading talent in the digital technology sector, as Tech City UK will be added to the list of bodies that can endorse visa applications. Currently, the only bodies that can endorse individuals within this category are the Arts Council England, British Academy, Royal Academy of Engineering, and Royal Society. The exceptional talent category has an overall limit of 1,000 visas per year and 200 of these will be allocated to Tech City.
- A new category of **overseas government sponsored language teachers** will be introduced within the Tier 5 Government Authorised Exchange route, to enable teachers to share knowledge and awareness of foreign languages and cultures in the UK. Permission will be granted for up to 24 months, and the first of these schemes will support a Mandarin teaching scheme.
- The ability for Sponsors to grant Tier 2 migrants **five years' leave** has been added. This follows an earlier announcement on February 3, 2014, of the proposed fees for this application: £1,028 for overseas applicants and £1,202 for those applying in the UK.
- A new **visa regime for visitors from Venezuela** will be implemented on May 5, 2014.
- **Minimum salary thresholds** have been updated for occupations within the Tier 2 category. The Statement of Changes document presented to Parliament is available at http://feedback.kingsleynapley.co.uk/files/uploads/documents/Statement_of_Changes_13March2014.pdf. Details of the updated salary rates start on page 39.
- **Appropriate salary rates** for Tier 2 have been increased. Details of the increases can be found on page 123 (page 8 of the Explanatory Memorandum at the end of the Statement of Changes, linked above).
- The **threshold for maintenance funds** will be increased in line with increases in the costs associated with living in the UK. This will apply to student, worker, and family immigration applications effective July 1, 2014. As applicants need to have held the funds for 28 or 90 days, depending on the visa category, anyone planning to apply beginning in July is advised to ensure that sufficient funds are held in bank accounts from the end of March. The level of the new maintenance thresholds are set out in the Statement of Changes at pages 125-128 (pages 10-13 of the Explanatory Memorandum).

Unless otherwise stated and subject to any fine-tuning by Parliament, these changes are due to start on April 6, 2014.

Salary Rates For Tier 2 To Be Updated On April 6

On March 4, 2014, the Home Office announced that they intend to update on April 6, 2014, the salary rates in the codes of practice for skilled employees. At the same time, they will replace the following Standard Occupation Classification (SOC) codes with multiple options to correspond with the various job levels within those occupations, as set out in the codes of practice:

2123 Electrical engineers
2211 Medical practitioners
2213 Pharmacists
2219 Health professionals not elsewhere classified
2231 Nurses
2442 Social workers

From a practical perspective, the introduction of multiple options for the SOC codes listed above will not prevent Sponsors from assigning Certificates of Sponsorship (CoS) after April 6, based on Restricted CoS (RCoS) applications submitted before that date. However, the transition to the new salary rates means that the Home Office will adjust the arrangements for RCoS in April and May 2014 as follows:

- Any RCoS granted before April 6, 2014, should be assigned by April 5, 2014. If not, Sponsors will need to ensure that the salary is in line with the revised salaries in the code of practice for the SOC code in question.
- Rather than accepting RCoS applications from March 6 to April 5 to be decided on April 11, the Home Office will accept applications from April 6 to April 16, 2014, and decisions on these applications will be made on April 18, 2014.
- Applications for the May allocation of RCoS will be accepted from April 17 to May 5 and the decision will be made on May 12. The monthly allocation process for June will revert to the usual schedule.
- If an RCoS is required urgently between March 6 and April 16, an application must be submitted through SMS and exceptional consideration requested by email to Tier2Limits@homeoffice.gsi.gov.uk. This email must be sent to the Home Office on the same day as the application for an RCoS is submitted.

Additional information includes:

Minimum salary thresholds:

- Annual updates will be made to the absolute minimum salary thresholds for each Tier 2 category:
 - Tier 2 (General) minimum rises from £20,300 to £20,500
 - Tier 2 (ICT) Short-term staff, Skills Transfer, and Graduate trainee rises from £24,300 to £24,500
 - Tier 2 (ICT) Long-term staff rises from £40,600 to £41,000

Standard Occupational Classification (SOC) code salary levels:

- Appropriate salary rates for each SOC code have also individually been reviewed, with some increases and some decreases.

Resident Labour Market Test (RLMT)/Advertising:

- Increases will be made to the salary thresholds with regard to advertising requirements under Tier 2 (General):

- The salary level at which a role is exempt from being advertised on Jobcentre Plus/Directgov rises from £71,000 to £71,600
- The "high earner" threshold at which a role is exempt from advertising rises from £152,100 to £153,500

Maintenance levels:

- Maintenance amounts will increase beginning on July 1, 2014:
 - Tier 1 (General) migrants extending in the UK will need to have held £945 for 90 days, up from £900.
 - Tier 2 migrants will need £945 in maintenance and their dependents will need £630 in maintenance. Sponsors can continue to certify maintenance by confirming that they are happy to do so on the Certificate of Sponsorship.

Recommended actions:

- Advertising carried out before April 6, 2014, in line with the rules in place at that time will continue to be acceptable. However, the salary listed on the Certificate of Sponsorship must be in line with the post-April 6, 2014, SOC code minimum if the visa application is made after that date.
- "High earners" recruited before April 6, 2014, need only meet the pre-April 6, 2014, salary threshold of £152,100. Retain evidence that recruitment took place before April 6, 2014.
- Inform migrants of new maintenance amounts; for example, any Tier 1 (General) migrants will need to have maintenance of £945 for themselves and £630 for each dependent for 90 continuous days if they plan to extend their stay after July 1, 2014.
- Review relevant SOC codes and ensure that existing sponsored workers meet the potentially higher minimum "experienced worker" rate required for extension applications.

Migration Advisory Committee Releases Report on Tier 1 (Investor) Category

On February 25, 2014, the Migration Advisory Committee (MAC) published a much-anticipated report on the current investment thresholds and economic benefits of the Tier 1 (Investor) route. Commissioned by former Immigration Minister Mark Harper, the report synthesizes a large volume of data and offers a number of significant recommendations.

The MAC, a non-departmental public body sponsored by UK Visas and Immigration, is made up of experts in the fields of economics and migration and advises on questions of immigration posed by the government.

Tier 1 (Investor) Background

The predecessor to the present-day Tier 1 (Investor) category was launched in 1994 and required, as it does today, a minimum investment of £1 million. With the creation of the Points-Based System (PBS) in 2008, the government introduced the Tier 1 (Investor) route. Since then, the category has remained in large part unchanged except for a few amendments introduced in 2011, which accelerated settlement for investors of larger sums and reduced residency requirements.

At present, applicants must possess either £1 million, comprising the applicant's own money, or £2 million in personal assets in addition to at least £1 million loaned to the applicant by a UK-regulated financial institution. In both cases, funds must be under the applicant's control, held in a regulated financial institution, and disposable in the UK.

Individuals who meet the route's requirements may be granted leave to enter the UK for up to three years. After that time, they may apply to extend their stay. To qualify for an extension, at least £750,000 of the funds must have been invested within a prescribed time frame in UK government bonds, share capital, or loan capital in active and trading UK-registered companies. The balance of the funds must have been used to either purchase assets or maintain a deposit in a UK-regulated financial institution.

After five years, investors may be eligible for settlement (also referred to as indefinite leave to remain) in the UK. However, individuals who meet the higher premium investment thresholds of £5 million or £10 million may benefit from accelerated settlement of three years and two years, respectively. After obtaining indefinite leave to remain, individuals who have invested £10 million or more may apply for citizenship after a total of five years, while all other investors are eligible after six years.

Report Recommendations

At the outset, the MAC noted its "healthy skepticism" about the economic benefits of the Tier 1 (Investor) route. The report asserted that many of the gains typically associated with the category might not be as self-evident as some would claim. Nevertheless, the MAC did acknowledge a modicum of economic benefit, albeit difficult to quantify, both to the British public as well as investors.

Based on these findings, as well as input from individual and organizational stakeholders, the MAC recommended:

1. raising the minimum threshold of investment from £1 million to £2 million;
2. relaxing present restrictions on permissible investment instruments and allowing greater flexibility and variety in investment alternatives. Potential options included:
 - relaxing reporting requirements to make investment in private companies more feasible;
 - permitting investment in extant investment opportunities such as venture capital schemes, and angel investments;
 - creating new investment instruments such as infrastructure bonds and property development;
 - combining investments such as pooled investments and a UK government business fund; and
 - offering philanthropic contributions such as education, arts, and medical research funds.
3. removing the "topping up" rule for investments, where investors must reinvest to maintain a prescribed balance. This would remove the incentive to purchase only low-risk UK government bonds, eliminate the need for quarterly valuations, and allow for more high-risk investments;

4. removing the ability to meet investment requirements by way of loans from UK financial institutions;
5. reducing the time individuals opting for the premium routes must be resident in the UK from 185 days to 90 days annually; and
6. capping the annual number of available premium investment visas at approximately 100 and offering them in a sealed bid auction. A reserve price would be set at £2.5 million with £2 million being investment and the balance being donated to the UK government for a good-causes fund.

In addition to these recommendations, the MAC noted several options that were outside of its responsibility, but that they believed would increase popularity of the Tier 1 (Investor) route and benefit the UK economy:

1. reducing the proportion of investment that may be made in UK government bonds, or prohibit investment in them altogether;
2. bringing dependent settlement periods in line with those for main applicants; and
3. accelerating citizenship for premium investors.

Pros and Cons

A number of the recommendations outlined in the MAC report represent constructive, reasonable steps that, if adopted, will benefit the UK economy and investors alike. Significantly broadening the scope of investment options, relaxing certain reporting obligations, and reducing residency requirements are all positive moves in the right direction.

Moreover, while falling short of actual recommendations, the MAC's suggestions to bring dependents' settlements in line with those of the main applicants and accelerating citizenship for top investors are sound proposals that the UK government should adopt.

On the other hand, some of the report's recommendations could have negative effects. For example, raising the investment threshold from £1 million to £2 million could drive off a portion of investors who may be enticed by less costly schemes offered elsewhere. The UK's investor route is already relatively expensive compared to those of other nations. While investors of the caliber attracted to the Tier 1 (Investor) route are concerned with more than just cost alone (e.g., stability of government, rule of law, and access to education), doubling the price of entry in one fell swoop will almost certainly act to drive down applicant numbers. And although we must avoid engaging in a race to the bottom with other nations, it is equally unwise to move in the other direction and price investor routes out of play in an increasingly competitive market.

Additionally, artificially capping the number of premium investment migrants at around 100 does not make for sound policy. The government has actively pursued the reduction of annual net migration numbers from the hundreds of thousands to the tens of thousands by 2015. But with successful Tier 1 (Investor) applications representing less than one percent of successful applications across all routes, such a measure, while perhaps appealing politically, will ultimately be meaningless numerically. Rather, the government should be actively drawing on its resources to attract as many new premium investors as possible, while simultaneously converting past applicants into higher levels of investment.

It should be noted that the MAC does not set policy and the recommendations in its report are not binding.

The report is available at <https://www.gov.uk/government/publications/the-investment-limits-and-economic-benefits-of-the-tier-1-investor-route-feb-2014>.

Resignations: A Commentary

This government is committed to taking action to effectively tackle illegal working. Illegal working encourages illegal immigration, it undercuts legitimate businesses by illegal cost-cutting activity, and is often associated with exploitative behaviour like tax evasion and harmful working conditions.

- Immigration Minister Mark Harper

The circumstances under which Immigration Minister Mark Harper resigned are, to say the least, piquant.

Seven years ago, in 2007, he hired a housekeeper from South America. Although he allegedly requested and received documentation evidencing her permission to work in the UK, it recently came to light that these papers were invalid, and that he had in fact been employing an undocumented worker. Adding to the controversy, Mr. Harper was unable to produce copies of her paperwork to demonstrate that he had undertaken the prescribed status checks.

As a result, Mr. Harper submitted his letter of resignation on February 7, 2014, which was accepted by the Prime Minister.

Beyond the obvious irony that the Immigration Minister was forced from his post because he employed an undocumented worker, this resignation is particularly poignant in light of the new immigration bill that is wending its way through Parliament. In addition to doubling the maximum civil penalties for employers involved in hiring undocumented workers from £10,000 to £20,000, the new bill proposes to oblige banks, private landlords, and driver's licensing authorities to perform mandatory immigration status checks before offering their services.

Cast in a harsh light, and borrowing from his own previous words, Mr. Harper's transgression could be described as the type that "encourages illegal immigration" and "undercuts legitimate businesses." More accurately, however, his actions should be seen as highlighting the onerous nature of the immigration bill's proposed penalties and mandatory checks. Indeed, that the Immigration Minister was unable to follow the very employer protocols that he championed is a clear indication that they are deeply flawed.

Mr. Harper is not the first minister to resign under awkward circumstances. Unsurprisingly, there is a storied history of ministers falling on their own swords.

In 2004, David Blunkett resigned as Home Secretary following allegations that he had expedited the visa of his ex-partner's nanny. That same year, Beverly Hughes resigned from her post as the Minister for Immigration, Citizenship and Counter Terrorism after news emerged that she had been aware of fraudulent visa applications from Eastern Europe being granted.

Half a decade later, in 2009, Baroness Patricia Scotland was fined £5,000 and forced to issue an apology for unwittingly employing an irregular migrant as her housekeeper. While she purportedly obtained evidence of her employee's permission to work in the UK, it turned out to be a forgery and she failed to keep copies of the paperwork. Fittingly, when she was a minister at the Home Office, Baroness Scotland had been instrumental in pushing legislation through the House of Lords requiring employers to request and retain copies of immigration status documentation. Despite the controversy, she was not asked, nor did she volunteer, to resign from her position as attorney general, as it was claimed that she did not "knowingly break the law."

It is a truism, but unfortunately not always true, that those responsible for making and implementing policy should have a firm understanding of the areas with which they are charged. In Mr. Harper's case, it is of obvious import that his employee deceived him. And while we do not expect our public officials to be superhuman, we do hold them to a higher standard. Accordingly, Mr. Harper resigned.

But the more pressing issue, indeed the one that suggests he was ill-equipped for the position in the first instance, was his inability to recognize at the outset that the immigration policies he promoted were, and continue to be, detrimental to immigrants, the general public and, as we have seen, the Immigration Minister.

To revel in Mr. Harper's personal defeat would be callous and inappropriate. On the other hand, one cannot help but appreciate the equitably elegant manner in which his fall from bureaucratic grace neatly captured the onerous absurdity of the very policies that he espoused.

Following Mr. Harper's resignation, James Brokenshire, the Conservative MP for Old Bexley and Sidcup, was appointed Minister for Immigration and Security.

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New Publications and Items of Interest

Several ABIL members co-authored and edited the *Global Business Immigration Practice Guide*, released by LexisNexis. The *Practice Guide* is a one-stop resource for dealing with questions related to business immigration issues in immigration hotspots around the world.

Latchi Delchev, a global mobility and immigration specialist for Boeing, called the guide "first-rate" and said the key strong point of the book is its "outstanding usability." She said she highly recommends the book and notes that it "is helpful even to seasoned professionals, as it provides a level of detail which is not easily gained from daily case management."

Mireya Serra-Janer, head of European immigration for a multinational IT company, says she particularly likes "the fact that the [guide] focuses not just on each country's immigration law itself but also addresses related matters such as tax and social security issues." She noted that the India chapter "is particularly good. The immigration regulations in India have always been hard to understand. Having a clear explanation of the rules there helps us sort out many mobility challenges."

This comprehensive guide is designed to be used by:

- Human resources professionals and in-house attorneys who need to instruct, understand, and liaise with immigration lawyers licensed in other countries;
- Business immigration attorneys who regularly work with multinational corporations and their employees and HR professionals; and
- Attorneys interested in expanding their practice to include global business immigration services.

This publication provides:

- An overview of the immigration law requirements and procedures for over 20 countries;
- Practical information and tips for obtaining visas, work permits, resident status, naturalization, and other nonimmigrant and immigrant pathways to conducting business, investing, and working in those countries;
- A general overview of the appropriate options for a particular employee; and

- Information on how an employee can obtain and maintain authorization to work in a target country.

Each chapter follows a similar format, making it easy to compare practices and procedures from country to country. Useful links to additional resources and forms are included. Collected in this Practice Guide, the expertise of ABIL's attorney members across the globe will serve as an ideal starting point in your research into global business immigration issues.

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<http://www.lexisnexis.com/store/catalog/booktemplate/productdetail.jsp?pageName=relatedProducts&core=&parent=&catId=31&prodId=70836>. International customers who do not want to order through the bookstore can order through Nicole Hahn at (518) 487-3004 or Nicole.hahn@lexisnexis.com.

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Member News

The following **ABIL members and firms** are included in the Chambers Global Rankings for Business Immigration (<http://www.chambersandpartners.com/guide/global/2>):

INDIVIDUALS

Mark Ivener (bio: <http://www.abil.com/lawyers/lawyers-ivener.cfm>)

H. Ronald Klasko (bio: <http://www.abil.com/lawyers/lawyers-klasko.cfm>)

Charles Kuck (bio: <http://www.abil.com/lawyers/lawyers-kuck.cfm>)

Sharon Mehlman (bio: <http://www.abil.com/lawyers/lawyers-mehlman.cfm>)

Cyrus Mehta (bio: <http://www.abil.com/lawyers/lawyers-mehta.cfm>)

Angelo Paparelli (bio: <http://www.abil.com/lawyers/lawyers-paparelli.cfm>)

Julie Pearl (bio: <http://www.abil.com/lawyers/lawyers-pearl.cfm>)

Bernard Wolfsdorf (bio: <http://www.abil.com/lawyers/lawyers-wolfsdorf.cfm>)

Stephen Yale-Loehr (bio: <http://www.abil.com/lawyers/lawyers-loehr.cfm?c=US>)

FIRMS

Bener Consultancy

FosterQuan, LLP

Ivener & Fullmer LLP

Klasko, Rulon, Stock & Seltzer, LLP

Laura Devine Solicitors

Pearl Law Group

Seyfarth Shaw, LLP

Veirano Advogados

Wolfsdorf Immigration Law Group

Laura Devine (bio: <http://www.abil.com/lawyers/lawyers-devine.cfm>) and **Nicolas Rollason** (bio: <http://www.abil.com/lawyers/lawyers-rollason.cfm?c=UK>) are listed in the United Kingdom rankings and **Isa Soter** (bio: <http://www.abil.com/lawyers/lawyers-soter.cfm?c=BR>) is listed in the Latin American rankings.

Jacqueline Bart (bio: <http://www.abil.com/lawyers/lawyers-bart.cfm>) has spoken or will speak at the following events:

- Canadian Speaker, 2014 American Immigration Lawyers Association Global Immigration Forum, "Lunch with the Experts," June 2014, Boston, Massachusetts
- Featured Immigration Speaker, Inter-Pacific Bar Association's 24th Annual Meeting and Conference, "Employment and Immigration Session," May 2014, Vancouver, Canada
- Co-Chair and Speaker, Business Travel and Short-Term Mobility: International Legal Trends: A Joint Union Internationale des Avocats-International Association of Young Lawyers Seminar, "Entry for Visitors and Short-Term Business/Work: Permitted and Non-Permitted Activities," April 2014, Toronto, Canada
- Speaker, American Bar Association's Section of International Law, 2014 Spring Meeting, "Global Immigration Reform and The New Corporate Reality: What Employers and Corporate Counsel Need to Know," March 2014, New York City
- Speaker, Canadian Corporate Relocation, Global Migration: Common Issues in Foreign Secondments, American Immigration Lawyers Association Webinar, January 2014

Eugene Chow (bio: <http://www.abil.com/lawyers/lawyers-chow.cfm>) has published a new article on EB-5 and Hong Kong investment programs, available at [http://www.abil.com/articles/ABIL%20Articles%20Global%20-%20HONG%20KONG%20-%20EB-5%20&%20CIES%20\(Chow\).pdf](http://www.abil.com/articles/ABIL%20Articles%20Global%20-%20HONG%20KONG%20-%20EB-5%20&%20CIES%20(Chow).pdf).

Mr. Mehta chaired the PLI Immigration Basics 2014 seminar on March 13, 2014. The webcast is available at http://www.pli.edu/Content/Seminar/Basic_Immigration_Law_2014/_/N-4kZ1z12eu2?ID=178427.

Kingsley Napley has announced a "Spring Update" seminar to be held Thursday, April 10, 2014, from 4 p.m. to 5:30 p.m. Jeremy Oppenheim, Board Advisor on Growth & External Engagement, UK Visas and Immigration (UKVI), will join a panel of speakers to debate and answer questions on:

- What changes will we see to the business visitor route?
- When will Sponsors see a relaxation in the Immigration Rules relating to the "cooling off period" for those earning less than £152,100?
- Will the Tier 2 (General) category continue to be subject to the quota and if so for how long?

Drinks and canapés will follow the session, to be held at Kingsley Napley LLP, Eagle Court, 6-7 St. John's Lane, London EC1M 4AJ. For more information, e-mail events@kingsleynapley.co.uk. Register at <http://feedback.kingsleynapley.co.uk/immspringupdate/>.

Ms. Pearl co-presented at the annual conference of the Arizona Relocation Alliance (ARA) on March 21, 2014, in Phoenix, Arizona, on global business traveler compliance.

Bernard Wolfsdorf (bio: <http://www.abil.com/lawyers/lawyers-wolfsdorf.cfm>), Founding Partner of Wolfsdorf Rosenthal LLP, has been named Corporate Immigration Lawyer of the Year for 2014 by Who's Who Legal for the fifth consecutive year. Mr. Wolfsdorf received this distinction after garnering the most votes from over 500 of the top-rated immigration lawyers in the world. For more information about Wolfsdorf Rosenthal LLP, see <http://www.wolfsdorf.com>.

Mr. Wolfsdorf was recently quoted on CNNMoney in an article on a dramatic surge in Chinese applicants for the EB-5 program. "The program has literally taken off to the point [that] in China, the minute anybody hears I'm an [immigration](#) lawyer, the first thing they say is, 'Can we get an EB-5 visa?' " "There is a panic being created in China about the demand [getting] so big that there is going to be a visa waiting line," he said. The article is available at <http://money.cnn.com/2014/03/25/news/economy/china-us-immigrant-visa/index.html>.

Mr. Klasko, Mr. Wolfsdorf, and Mr. Yale-Loehr spoke about the EB-5 immigrant investor program at the Invest in America Summit on March 22-23, 2014, at the Jing An Shangri-la Hotel in Shanghai, China. For more information, see <http://www.investinamerica2014.org>.

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About ABIL

The Alliance of Business Immigration Lawyers (ABIL) offers a single point of contact for customer needs, news alerts, staff training, and other programs that benefit clients through the collaboration of more than 400 member lawyers and their 1,000 staff. Corporate counsel, human resource professionals, in-house immigration managers, and other corporate decision-makers turn to ABIL lawyers for outstanding legal skills and services. ABIL's work also includes providing speakers and media sources, presenting conferences, publishing books and articles on cutting-edge immigration topics, and sharing best practices, all with the ultimate goal of offering value-added services to business immigration clients.

The Alliance of Business Immigration Lawyers' Web site is at <http://www.abil.com/>.

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