

Work and residence permits for entrepreneurs and employees from outside Europe

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For companies from Asia, the Middle East and Africa that set up in Switzerland, the question of who can work in the Swiss company is often as important as the company itself. Swiss law admits nationals of states outside the European Union and EFTA to the labour market only under strict conditions and within annual quotas. Managers, specialists and entrepreneurs who bring real value to the Swiss economy can obtain permits, but the application must be prepared carefully and the timetable planned from the start.

1 The basic conditions

Under the Foreign Nationals and Integration Act, a national of a state outside the European Union and EFTA can be admitted for gainful employment where this serves the overall interests of the Swiss economy (Article 18). The employer must show that no suitable worker could be found in Switzerland or in the European Union and EFTA (Article 21), and it must offer the salary and working conditions customary in the location and the sector (Article 22). Only managers, specialists and other qualified workers are admitted (Article 23).

2 Quotas and procedure

Short-term permits (L permits) and residence permits (B permits) for these workers are subject to annual quotas set by the Federal Council and distributed among the cantons. The employer files the application with the cantonal labour market authority, which decides on the labour market conditions, and the State Secretariat for Migration must approve the permit. The procedure usually takes several weeks, and in cantons where the quota is exhausted it can take longer.

3 Entrepreneurs and self-employed persons

A person who wants to set up a business in Switzerland and work in it can be admitted as self-employed where the activity serves the overall interests of the Swiss economy and the necessary financial and operational conditions are met (Article 19). The cantons look at the business plan, the investment, the jobs created and the tax revenue expected. A founder who is also employed by the Swiss company he owns is treated as an employee, and the conditions for employees apply.

4 Intra-group transfers

Groups can transfer managers and specialists from a foreign group company to the Swiss subsidiary. Such transfers remain subject to the quotas and to the requirements of qualification and customary salary, but the priority of domestic workers is applied with more flexibility where the transfer serves the international exchange of executives and specialists within the group.

5 Family members

Holders of a residence permit can bring their spouse and children under 18 to Switzerland if they live together, have suitable housing and sufficient means, and do not depend on social assistance (Article 44). The family members may take up employment in Switzerland. The rules are explained in the article on [moving to Switzerland](#).

6 Planning the timetable

Because permits for key staff take time and depend on quotas, the application should be prepared in parallel with the formation of the company and the opening of the bank account, as described in the video [Setting up a Swiss company: the five steps](#). A Swiss resident director can represent the company while the permits for the founders and managers are pending, as explained in the article on [professional directorships](#).

7 How Ressos Legal helps

I prepare permit applications for entrepreneurs, managers and specialists, coordinate them with the formation of the Swiss company, and advise families on residence and family reunification. [Contact me](#) for a first conversation.

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