

Immigration law and its limits

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Swiss immigration law distinguishes between nationals of the European Union and the European Free Trade Association and nationals of other states. Nationals of the Union and the Association benefit from the Agreement on the Free Movement of Persons, which gives them the right to take up employment in Switzerland and to obtain a residence permit.¹ Nationals of other states, including the United States, the United Kingdom since Brexit, India and China, can obtain work permits only within annual quotas and only if the employer shows that no suitable candidate from Switzerland or the European Union is available. They must usually be managers, specialists or other qualified workers.²

The quotas and the priority rule affect the companies of Zug directly. Many of the specialists they wish to recruit come from outside Europe. The quotas are distributed among the cantons and have been exhausted before the end of the year in some years, although they have not been fully used recently. Cantons with large international economies, such as Zurich, Basel-Stadt and Geneva, have called for higher quotas, as have the business associations.³ British nationals, who became third-country nationals after the United Kingdom left the European Union, benefit from a transitional agreement and a separate quota for service providers and workers.⁴

1 Notes

1. State Secretariat for Migration (SEM), "Free movement of persons Switzerland – EU/EFTA", sem.admin.ch: the Agreement on the Free Movement of Persons came into force on 1 June 2002; the same rules also apply to citizens of the EFTA member states. ↩
2. Federal Act of 16 December 2005 on Foreign Nationals and Integration (AIG), [text on droit-bilingue.ch](http://text.on.droit-bilingue.ch): Art. 20 para. 1 (the Federal Council may limit the number of first-time short stay and residence permits for work purposes), Art. 21 para. 1 (admission only if no

suitable domestic worker or citizen of a state with a free movement agreement can be found), Art. 23 para. 1 (permits only for managers, specialists and other qualified workers). SEM, "United Kingdom", sem.admin.ch: since 1 January 2021 UK nationals are treated as third-country nationals for work purposes. ↩

3. NZZ, "Drittstaaten-Kontingente: Bundesrat kommt Wirtschaft einen Schritt entgegen", nzz.ch (ld.121762, context 2016; exact date not shown in the fetched text): the federal reserve of third-country permits was exhausted from mid-September; Basel-Stadt, Zurich and Geneva had sought an increase, Geneva's Pierre Maudet calling the decision a step in the right direction but insufficient. Schweizerischer Arbeitgeberverband, "Weitere Erhöhung der Drittstaaten-Kontingente ist angezeigt", arbeitgeber.ch (title seen in search results). Federal Council press release of 19 November 2025, sbfi.admin.ch: quotas used to 74 per cent in 2024 and about 52 per cent by the end of September 2025. No specific position of the canton of Zug was found. ↩
4. SEM, "United Kingdom", sem.admin.ch: citizens' rights agreement signed on 25 February 2019 and applied since 1 January 2021; temporary agreement on the mobility of service suppliers signed on 14 December 2020. Federal Council press release "Federal Council leaves third-country quotas for 2026 unchanged", 19 November 2025, sbfi.admin.ch: 8,500 permits for third-country workers (4,500 B and 4,000 L) and a separate quota of 3,500 permits for UK nationals (2,100 B and 1,400 L); third-country quotas were used to 74 per cent in 2024 and to about 52 per cent by the end of September 2025. ↩

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